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The Berkshire Studies in European History

THE ORGANIZATION OF MEDIEVAL CHRISTIANITY

BY
SUMMERFIELD BALDWIN

NEW YORK
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The Berkshire Studies in European History

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PREFACE

The college teacher of general European history is always confronted with the task of finding adequate reading for his classes which is neither too specialized and technical nor too elementary. For many topics, including several of the greatest importance, no such material is at the moment available. Moreover, in too many instances, good reading which undeniably does exist is in the form of a chapter in a larger work and is therefore too expensive for adoption as required reading under normal conditions.

The Berkshire Studies in European History have been planned to meet this situation. The topics selected for treatment are those on which there is no easily accessible reading of appropriate length adequate for the needs of a course in general European history. The authors, all experienced teachers, are in nearly every instance actively engaged in the class room and intimately acquainted with its problems. They will avoid a merely elementary presentation of facts, giving instead an interpretive discussion suited to the more mature point of view of college students.

No pretense is made, of course, that these *Studies* are contributions to historical literature in the scholarly sense. Each author, nevertheless, is sufficiently a specialist in the period of which he writes to be familiar with the sources and to have used the latest scholarly contributions to his subject. In order that those who desire to read further on any topic may have some guid-

ance short bibliographies of works in western European languages are given, with particular attention to books of recent date.

Each *Study* is designed as a week's reading. The division into three approximately equal chapters, many of them self-contained and each suitable for one day's assignment, should make the series as a whole easily adaptable to the present needs of college classes. The editors have attempted at every point to maintain and emphasize this fundamental flexibility.

Maps and diagrams will occasionally be furnished with the text when specially needed but a good historical atlas, such as that of Shepherd, is presupposed throughout.

R. A. N.
L. B. P.
S. R. P.

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FOREWORD

The hypothesis of this book: a development in the idea of the Church from that of sacrament to that of corporation, is derived from the work of Rudolf Sohm. This hypothesis has received less attention than it deserves. The criticism of it by Dr. Ulrich Stutz seems hardly destructive of the main lines of Sohm's reasoning.

The social scheme which has been adopted I owe to the recently deceased Brooks Adams. I have modified it especially as regards the place of the merchant, as a result of my own studies.

An apology is due for including matter so obviously hypothetical in a work for beginners in the historical discipline. In palliation of such a step, I can only say that in my opinion students of history cannot begin too early to realize that the historical science belongs among those subjects about which, as Aristotle puts it, "we must be content to arrive at conclusions which are only generally true . . . for an educated person will expect accuracy in each subject only so far as the nature of the subject allows."

I must here express my gratitude to the editors of the Berkshire Historical Series for their patience and their suggestions, and to my wife for having done most of the hard work in preparing this book.

S. B.

THE ORGANIZATION OF MEDIEVAL CHRISTIANITY

ORGANIZATION OF MEDIEVAL CHRISTIANITY

CHAPTER I

THE CHRISTIAN LIFE

THE AGE OF FAITH

The medieval period is chiefly characterized by the fact that thirty generations of human beings recognized, with a remarkable approach to unanimity, that the conduct of life according to the laws of God was the whole duty of man.

The contrast between such an opinion and the opinion prevalent today has less to do with religion than it has to do with the notion of duty. Religion is still of great importance to many individuals. But human duty has yielded in the general imagination to human right. For example, the most widely accepted religious belief nowadays is in the right of the individual to worship God as seems good to him. To the medieval man, it was God's right to receive worship as seemed good to God. For man, worship was a duty, not a right.

Everyone was a Christian in western Europe during the Middle Ages, except the persecuted Jews, and the Spanish Mohammedans. A Christian was one who had

been baptized, and therefore belonged to the Church of Christ. By the duties and rights which he thus acquired, he was secured his place in the world. The world was the forecourt of heaven, an integral part of the Kingdom of God. In heaven, there were only the saved. Hence the world could find no room for those upon whom baptism had not conferred the promise of salvation.

The plain man made of his church the focal point of his existence. It was the chief building in his village or town. To assist in its ceremonies was his chief form of recreation. In it or at its entrance, he passed his idle moments, meeting his neighbors and gossiping with them. From its pulpit came most of his news of the world. His status as a member of his parish gave him generally his sole opportunity to make his opinion effectively heard in religious, economic, or political matters. The principal events of his life, his birth and his marriage, had no official record save in the registers of his parish. The days of the year were known by the saints whose feasts were celebrated upon them, or by their place in the ecclesiastical calendar.

The priest of the parish was usually the only man who could read or write. It is significant that today we oppose the layman to any professional man, doctor and layman, for instance, or lawyer and layman. Yet originally a layman was one not a clergyman. The medieval priest was doctor, lawyer, and schoolmaster. That he was notary, amanuensis, secretary, is proved by the fact that our word clerk is simply *clericus*, clergyman. The community was happy and contented when its priest was a good and conscientious man. It is easy to imagine its

misery when he was otherwise. Yet good or bad, the priest was the intelligence of medieval society, and the church over which he presided was the centre of medieval life. The unchurched man was, to the mediæval mind, hardly a man at all.

FAITH

In a letter attributed to St. Paul, there is a definition of faith as "the substance of things hoped for, the evidence of things not seen." [1] As the substance of things hoped for, faith requires that we assume fear to be a constant factor in human character. Hope and fear are both faculties of the imaginative part, as inseparable, in a sense, as pleasure and pain, the faculties of the sensitive part. "The fear of the Lord," cries the author of Proverbs, "is the beginning of wisdom." [2] Through fear men cleave to faith; by faith, they hope.

Men fear what they perceive but are unable to understand. The three great unknowns, in this sense, are the movements of nature, death, and strangers. The mysteries of soil and weather, the mystery of the last act of human life, and the mystery of other men's intentions seem to create a demand which faith supplies. Religion, in the first place, tends to be an important element in human life in inverse proportion to man's scientific understanding and mastery of nature. The more man understands and controls nature, the less the fear of natural phenomena and of death.

The primary requisite for the promotion and main-

[1] Hebrews XI. 1.
[2] Proverbs IX. 10.

tenance of an understanding of nature is leisure, the primary requisite for leisure, a surplus of production. There can be no scientific advancement without men who have time to investigate nature. The understanding of nature cannot be widespread unless a great many people have time to be educated. The control of nature, too, requires a surplus with which to build and replace the expensive machinery necessary for its control.

The third fear, that of strangers, also promotes religion. A man is most ready to assume of a stranger that he has fear of nature and of death in common with him. Therefore a common religion tends to be the first bond between men otherwise strangers. All religions have some element of community in them. Some work by exclusion: a close religious union between a few against the rest. Others work by inclusiveness, aiming to persuade men that there are no strangers, since all possess a common religion.

After the assumption of a common fear, comes the assumption of common wants, which lies at the basis of all exchange of commodities. Trade would seem to be a rival of religion in tending to decrease the fear of strangers. It is probable that religion tends to be an important element in human life in inverse proportion to the actual volume and extensiveness of trade.

But trade increases in proportion to the surplus of production. In two ways it appears that the measurement of religious feeling at different epochs can be made by a determination of the amount of surplus produced. From surplus comes leisure. From leisure comes the promotion and maintenance of man's understanding and control of

nature. As these increase, the need of religion diminishes. On the other hand, a surplus promotes trade. Trade makes neighbors, and tends to eliminate the fear of strangers. As this fear diminishes, the need of religion again diminishes.

But faith is not only the substance of things hoped for, it is also the evidence of things unseen. This is, of course, a paradox, since evidence is bearing witness to something seen or heard. Religious opinions are indeed about things unseen and unheard. Yet the great bulk of persons holding religious opinions receive them from religious leaders of one sort or another. Religion, for most people, only involves a choice among religions already being taught.

Faith requires human evidence. This human evidence is afforded by men who belong to what may be called the priestly or sacerdotal type. They are men characterized either by an apparent power to work wonders in nature, or by a remarkable gift of imagination, with a corresponding power in the use of language to express their images, or by a power to deny themselves the pleasures of human existence, or all three. Such men are bred at all epochs. When religion is a relatively important factor in human life, they tend to become powerful and rich. Those who fall heir to the power and riches acquired by the sacerdotal type devote themselves to the organization of society so that they may keep what they possess.

Their conservatism weakens religion, for it facilitates the accumulation of an always more considerable surplus. Men of imagination find greater reward in the scientific study of nature than in the teaching of religion. Traders

can deal with larger surpluses, and make neighbors out of more and more men hitherto strangers. Ultimately, the very organization which the sacerdotal type devised is taken over for the purposes of another type, and the ministers of religion fall into a subordinate place.

THE ORIGINS OF CHRISTIANITY

Augustus, first of the Roman Emperors, died in 14 A.D. when the historic Jesus was preparing to teach his new religion in the Roman Province of Judæa. If the Roman Empire was not actually greatest and most prosperous under Augustus, it certainly became so before the end of the first century of the Christian Era. Conditions of production and exchange, of capitalization, of surplus, and of leisure, were at the highest point which history has recorded either before or after, with the single exception of our own times.

We are not surprised to find that religion was at its lowest ebb. All the subjects of the Empire were neighbors, bound together by common wants and the trade which supplied them and protected from the strangers beyond the Rhine and the Danube by a close-knit military and civil organization. Furthermore the accumulation of surplus permitted, on the one hand, the activities of men of science, capable of interpreting nature and suggesting ways of controlling it, and, on the other, facilitated the construction of works like aqueducts, vessels of commerce, and roads which removed many of the obstacles which nature sets to man's productivity.

Varro, Cicero's friend, classified religions as poetic, natural, and civil. Though he scornfully admitted that the civil, that is the official religion of the Roman Empire, was the most useful, he held that only the natural had anything to do with truth.[2a] The famous exclamation of the scientific poet, Lucretius, *"tantum religio potuit suadere malorum"* (so great the evils to which religion could prompt), may also serve to illustrate the contempt in which the Roman world held religion.[3]

In such an atmosphere, Christianity was born. Within three hundred years, the majority of Roman citizens were nominally Christians. The beginning of the fourth century witnessed the Roman Emperor, Constantine, presiding at a General Council of the Christian Church (Nicæa, 325). By the end of that century, Christianity had become the sole official religion of the Empire, and the Emperor Theodosius (379-395) was prohibiting the public rites of other religions, and affixing penalties for those who departed from official Christian doctrine.

The Empire of Constantine and Theodosius was very different from that of Augustus. The organization, civil and military, had broken down. Governors were turning into swashbuckling tyrants. Great tracts of land whose soil science had not yet taught man to refresh appear to have been lying uncultivated. For generations, the financial lords of the Empire had been squandering the surplus. The burden upon the producers had become in-

[2a] We only know Varro's philosophical writings from quotations from them in the *City of God* of St. Augustine. The above appears in Book VI, chapter 5.

[3] Lucretius, *De Rerum Natura,* Book I, line 110.

tolerable. The external proof of the decay in Roman civilization is the successful violence of German marauders in the very stronghold of the Empire, Rome itself.

We are confronted by such disorganization of society as breeds fear. Men have again found it impossible to cope adequately with the forces of nature. Men have found the circle of their neighbors constantly contracted as the avenues of trade were closed and as the surplus of production gradually dwindled to nothing. Fear must have become again the dominant factor in human experience. Only thus can we explain how the sacerdotal type, represented now by the Christian priest, should have passed from being the victim of the Roman executioner to being the most powerful and the most prosperous element in society.

Christianity presented itself in all three of the guises which Varro identified. It was, in the first place, poetic. Its priests were men of high imaginative power, capable of expressing their images in stories which captured the lesser imaginations of their hearers. They were prepared to produce evidence of things unseen in the shape of miracles. They offered a consistent account of the order of the world and of man's place in it, an account which was in fact the substance of things hoped for, in a world become the prey of numberless fears.

Christianity, too, was civil. That unity in the body of Christ which the Church afforded was the only one which made neighbors of men otherwise utterly estranged. The Roman government did little service to Christianity by making it the official religion. The priest was so important to the individual that the government, on the

contrary, sought support from him by endowing him with official status. For centuries, the Christian religion was the prop of a political authority almost defunct.

Finally, Christianity was a natural religion. By natural Varro meant philosophical. We perhaps should say scientific. The Christian priest was in a position to be more than poet or official. From Hebrew and Greek lore, Christianity had drawn a sufficient number of principles concerning the operations of the material universe to make it possible for the Christian priest to take the place now occupied, as it was occupied in the time of Augustus, by the scholar and the scientist.

THE THEORY OF CHRISTIANITY

Christianity is a system of ideas relating to man and his place in the created universe. Its teaching is somewhat as follows. There was a God, existing from all time and to all time, before and after and above time, therefore eternal. This God was also without any limit, infinite, everywhere present, knowing all things (omniscient), being able to do all things (omnipotent). The most remarkable characteristic of God was love, and God especially loved himself. This was possible because while God was one, he was also three persons, called Father, Son, and Holy Spirit. The three persons had existed from eternity loving one another infinitely.

This was called the doctrine of the Trinity. The words of Christ are full of references to a Father of whom he was peculiarly the Son, and to a Spirit of God, the Comforter or Paraclete. The early Church never questioned

the existence of the Holy, Comforting Spirit, nor did it question Christ's Sonship. But there was a division of opinion as to the philosophical problem of whether Christ were the *same* as the Father in being, or only *similar* to him. In 325, the latter opinion, associated with Arius, a priest of Alexandria, was condemned at the first general council of Christian bishops at Nicæa. The council declared in favor of the formula proposed by an archdeacon also of Alexandria, named Athanasius, that the Son was of the same substance as the Father, "very God of very God." The controversy long outlasted Nicæa. The Arians, among whom were numbered many of the Germanic invaders, continued to believe that Christ was not *homo-ousion* (of the same being) as God, but *homoi-ousion* (of similar being). Athanasian doctrine, however, ultimately triumphed. The doctrine of the Trinity is still known as the Athanasian doctrine.

The divine love was so great that God began creating other things to love him, and to be beloved by him. First, he created angels, eternal bodiless spirits with intellects capable of knowing and loving him. But since God desired that they love him of their own free will, he created them capable of not loving him if they chose. Some of the angels chose not to love him because they were so well satisfied with themselves. These angels, whose chief was Satan (a Hebrew word meaning adversary) or Lucifer (from the Latin meaning light-bearer) were cut off from the vision of God, and doomed to spend eternity suffering, since not to honor and love God was to suffer.

Next God created the material universe. On the earth he created life in plants and animals. Finally he created

man, with a body like the animals, but with a soul like that of an angel, capable of knowing and loving God. But again, God did not wish servile love. Men, like the angels, were created free to love him or not to love him. Satan tempted the first man and woman, Adam and Eve, convinced them that their excellence was so great that they could be gods themselves, and they chose not to love God. By this act of will, Adam and Eve and all human souls lost the great privilege of knowing and loving God. They also exposed themselves and all human souls to the danger of offending God by doing wicked and unjust things. Thus they not only lost heaven, but were exposed to eternal punishment by God's justice.

It was possible that many human souls would never offend God in the future, since they would conduct their lives reasonably or they would die before reaching the age of reason. Such human souls would not be punished but their eternal life would be happy only on a human plane, not on the divine plane of happiness which would have been theirs if the first man had chosen to love God. It cannot therefore be said that God was unjust to punish later men for Adam's wilfulness.

But Christian theory not only involved a beatitude in heaven which was lost by the original sin of Adam. It also envisaged a perpetual punishment in hell for all the other sins which Adam and his descendants might commit. The damned were to go into the fire prepared for the devil and his angels, to suffer in the bodily and spiritual senses forever. The thinkers of the Church early recognized that this theory raised several problems. The chief of these was, briefly, who was responsible for

sin. God was omnipotent, and also good. The existence of sin seemed to put these two attributes in opposition. A good God, by omnipotence, would prevent men from sinning. To this, the answer was made, of course, that freedom was the greatest of goods. Men could not be free unless God limited his omnipotence, and *permitted,* without actually willing, men to sin or not to sin as they chose. But had God given men freedom? Christian theory held that God foreknew everything, and hence that he foreknew those who would be saved, and that God had elected, chosen, his own, so that those whom he had chosen must necessarily be saved, and those whom he had not chosen must necessarily sin and be lost. The problem is one peculiarly associated with the name of the great Bishop of Hippo, Aurelius Augustinus (St. Augustine, 354-430) because, in a controversy with a British priest named Pelagius, he insisted upon the doctrine of election, that God foreknew his own, and at the same time came as near as is possible to vindicating human freedom and thus saving God from the responsibility for sin.

Beside the classification of sin into the original sin of Adam, and actual sins of men, actual sins were subdivided into deadly, or mortal, and pardonable, or venial. The former were thought to arise from malice and pride in the heart of the sinner. Venial sins were due not to malice but to human frailty. Popular moralists came to classify the capital sins under seven heads: pride, envy, anger, lust, covetousness, gluttony, and sloth. But whereas pride, deliberate defiance of God was deadly, mere vanity or self-esteem might be venial. To wish to

possess something which one could not afford might be venial so long as one did not wish to damage its possessor.

The most serious effect of the original sin of Adam was to deprive his descendants of the power of pleasing God without God's help. God foresaw this situation, and from eternity planned a method by which he would himself make reparation for Adam's wilfulness. "O happy fault," the Church exclaimed of Adam's fall, "O happy fault which merited so great a redemption." This plan was the incarnation of the second person of God, the Son. He was to take on human nature, be subject to all human temptations, suffer in overcoming them, ultimately suffer an unjust punishment at the hands of men, and in the agony of death even suffer the worst of human sufferings, the pain of loss of God. Thereafter he was to rise from death, ascend to the Father, and judge the world.

The incarnation of God the Son was Jesus Christ. He was regarded as an actual historic individual, born in the reign of Augustus. His mother was Mary, a virgin. His conception was miraculously effected by the Holy Spirit. He lived for thirty-three years, preaching, healing, ruling his followers, and ministering to them. Thereafter he was crucified, rose from the dead after three days, and after forty days ascended into heaven, having declared that all who believed in him and were baptized would be saved.

With the doctrine of the Trinity and that of Free Will and Election, the doctrine of the Incarnation of God the Son was among the most bitterly debated in Christian history. The problem was how one person could possess two natures, one divine, one human. The issue grew out

of the popular practice of calling the Mother of Jesus *Theotokos,* Mother of God. In 428, Nestorius became Archbishop (Patriarch) of Constantinople, and attacked this habit. ("Let no one call Mary the mother of God, for Mary was a human being, and that God should be born of a human being is impossible.") His followers, the Nestorians, held that Christ was not one person, but two persons, the divine being eternal, the human, born of Mary.

The opposition was led by the Bishop of Alexandria, Cyril, whose disciple, Eutyches, gave his name to the Eutychians. They went to the other extreme and taught that Christ was not only one person, but also one nature only, and that divine. His human body was little more than an appearance, and not a nature at all. Eutychians were also called Monophysites (Single-naturists). Meanwhile, popular practice went on calling Mary the Mother of God, and the doctrine of the Incarnation continued in the difficult middle way, holding Christ to be one person with two natures.

The effect of the incarnation of God the Son, and of his life, death, and resurrection was the restoration to mankind of a means of pleasing God. This power to avoid sin, to achieve sanctity in this life and beatitude in the life to come was known to theologians as *gratia Dei,* the grace of God. The risen Christ was the dispenser of grace. By believing in him, obeying him, loving him, a man received power to be saved.

Augustine is famous again for his opinions on grace. The grace of God was, supposedly, sufficient to save any believer. Yet many believers led utterly unrighteous

lives, and died unrepentant deaths. The sufficient grace of God did not appear to suffice. Hence arose the theory of correspondence: that the believer must adapt himself to the grace he received, or it would be wasted on him. Such a correspondence was to be attained by the performance of good works. Augustine probably worked out the relation of grace and good works to his own satisfaction, but every generation of theologians since his day has been puzzled by the problem.

Christ's risen body was believed to sit at the right hand of the Father, but his mysterious body was still on earth. It was the Church, the body of all those who believed in him and were baptized. These believers, the Church, with the assistance of the Holy Spirit, were the means by which grace was shed upon the world and its inhabitants. Christ the priest who offered the sacrifice of himself to God on men's behalf was present in the Church which, in the Eucharist, perpetuated that sacrifice. Christ the king who, at the right hand of the Father, ruled the angels and the saints, was present in the Church which, through its apostles, prophets, and teachers, ruled the faithful not yet taken to heaven. Christ the teacher whose words were saving truth was present in the Church which remembered, interpreted and applied those words for the benefit of every human being. Through the Church came grace. Membership in the Church was the primary requisite for salvation.

THE BIBLE

Before we examine in detail how the Church undertook to fulfill its functions, it is worth while to notice that

Christian theory, theology, represents that aspect of religion which Varro called poetic. The poetic side of Greek and Roman religion was represented by the writings of such poets as Homer or Hesiod. Their stories of the gods and goddesses were the religious authorities of the Græco-Roman world for many centuries.

The poetry of Christianity also, its theory or doctrine about God and his dealings with men, was to be found in a body of writings which form what has for many centuries been called the Bible, from the Greek *biblia,* books. They are of two sorts. The first group, called the Old Testament, consists of material which was put down in its present form between about 600 B.C. and the birth of Christ. The Christian Church took them over as a whole from the Jews. The process by which the Jews attributed inspiration to these particular writings as against others is not well known. The Christians, indeed, adopted certain Jewish books only to be found in a Greek compilation called the Septuagint (seventy) of the second century before Christ. These the Jews themselves never considered divinely inspired, and Christian writers treated them as only of secondary authority.

The second group of writings in the Bible, the New Testament, was all written by Christian converts before 150 A.D. The four Gospels, associated with the names of Matthew, Mark, Luke, and John, narrate the life on earth of Jesus. The first three are more or less harmonious synopses of it. The Gospel according to John contains material not in the other three, and shows strong philosophical tendencies. Where the synoptic Gospels begin with a statement of Jesus' ancestry and birth, for

example, the fourth opens with a theory of the incarnation.

The Acts of the Apostles, which follow the Gospels, contain a history of the early Church, especially the ministry of St. Paul. They were written by the author of the Gospel of Luke. A series of letters of St. Paul to the first Christian churches, which come next, are the earliest writings in the New Testament. A few letters bearing the names of other disciples of Christ ensue. Among these, the letters of St. John reveal the same theology as the Gospel bearing his name. This also is true of the Apocalypse (Secret Things) or the Revelation, which concludes the New Testament, and which is an account of what the author saw and heard in heaven, somewhat in the manner of a similar revelation in a late Jewish writing, the Book of Daniel.

The books of the New Testament were selected by the early Christian churches from among a considerable number of other writings, gospels professing to narrate the infancy of Jesus, and letters attributed to other disciples or to the early bishops of the Church of Rome. As late as the beginning of the second Christian century, however, Christians still preferred the oral tradition to the written works. About the year 120, a meeting of the Church of Rome probably occurred to determine whether or not the Gospel of Matthew, with its story of the Virgin Birth, should be accepted as inspired. During the second century, there were a number of such meetings in the various churches. As a result of their activities a canon, or standard of Christian literature, was finally established. By the end of the second century, the writings of all the

great bishops refer to two well-known collections: the Gospels and the Apostles. In the latter collection were a number of works destined to lose their authority in the course of two centuries. By 360, a council at Laodicea was able to prohibit the reading of uncanonical Christian writings in the churches, with evident certainty that everyone would know what was canonical.

The writings of the Bible were known to medieval Europe only in Latin translation, though either Hebrew or Greek was the language in which they were first written. The translation in general use was called the Vulgate, from the Latin meaning "spread abroad." This was the work of the greatest linguistic scholar of the early Church, Eusebius Sophronius Hieronymus (St. Jerome). Born in 330 of a wealthy Christian family, Jerome studied the Greek and Latin classics at Rome, and spent some years leading a wandering scholar's life. A serious illness suffered in the course of a trip to the East led to his conversion. He became a hermit in the desert wastes of Syria, and resolved to abandon the study of the classics in favor of Christian writings. But fasting and prayer were not Jerome's exclusive occupations. At the suggestion of Damasus, Bishop of Rome, he began the publication of a new Latin translation of the Bible, to replace the numerous and conflicting ones then circulating. After the death of Damasus, he travelled to Palestine, and here, with the assistance of Jewish rabbis, who visited him secretly for fear of their co-religionists, he translated from the Hebrew very nearly all of the Old Testament. The great work was finished by the end of the fourth century. The phrases which Jerome used

are still the basis of all Bible phraseology, in every western European language.

THE INTERPRETATION OF SCRIPTURE

The Holy Scriptures of the Old and New Testaments were held to be inspired, written by God the Holy Spirit through the agency of specially chosen men. These Scriptures, therefore, could hold no error. Apparent errors, contradictions, impossibilities, were construed by the theologians in such a way as to remove them. But the interpretation of Scripture went much farther than the removal of apparent discrepancies. To every word which God had revealed, the medieval theologian might attach any of several meanings. Thus the story of what happened in the Garden of Eden, the temptation of Eve by the serpent, the fall and punishment of the first human beings, had, in the first place, a literal and historical sense. But besides that, all the elements in it were allegorical, drawing a moral from the disaster which befell Adam and Eve. The story was also anagogical, or mystical, and taught the eternal purpose of God with the world.

Perhaps no part of Holy Writ was so much beloved as a subject of imaginative interpretation as the Song of Solomon. The modern reader is inclined to dismiss this document as a characteristic piece of oriental erotic poetry. The medieval mind preferred to see in it a mystical setting forth of the love of Christ and his Church. St. Bernard of Clairvaux (1091-1153) seems to have made it the subject of his pious meditation for months

upon end. Those meditations bore fruit in a long series of impassioned sermons to his monks which probably represent the highest point reached by the medieval imagination.

The accumulated body of comment and interpretation of Holy Scripture went to make up what medieval churchmen called the tradition of the Church. The tradition of the Church must always be considered an organic part of the poetry of Christianity. Theology, the canon law, and the spirituality of medieval Europe were as much derived from that tradition as they were from Scripture itself. The Fathers of the Church, St. Leo (? -461), St. Ambrose (334-397), St. Jerome (330-420), above all St. Augustine of Hippo (354-430), and St. Gregory (540-603) embodied in their writings what the medieval Church regarded as the surest evidence of the great tradition. Hence the writings of the Fathers were treated by medieval churchmen with a respect almost equal to that in which the Word of God itself was held.

THE PRAYER OF THE CHURCH

The prayer of the Church must also be considered as belonging to the poetic aspect of Christianity. It was an ancient axiom that *lex orandi lex credendi,* that the law of prayer is the law of belief. The Bible and the prayer of the Church between them furnished the Christian faith with its formulas.

In the earliest Church, the chief religious act in any gathering of Christians was the repetition of the mysterious rite which Jesus had performed and commanded

to be repeated in his memory, on the eve of his crucifixion. The official prayer of the Church centered around its celebration from the very first. In western Europe, it came to be almost universally known as the Mass, from the Latin *missa*.[4] The less popular but more intelligible name for the rite is Eucharist, from the Greek word, meaning "thanksgiving." The Gospels tell us that Jesus gave thanks before he took the bread. It is also called simply, *Cœna Domini,* "supper of the Lord." In its spiritual aspect, it is Holy Communion. As a prayer, it is the Liturgy, from the Greek *leitourgia*.[5] The word liturgy has come to include all the public prayer of the Church, but all public prayer of the Church is still associated, one way or another, with the Mass.

From the words of St. Paul, it would seem that a certain informality, not to say indecorousness, characterized the celebration of the Liturgy in the first Christian century. But the descriptions of the rite which have come down to us from the third and fourth centuries show that by then, the Liturgy had become an extremely formal and well regulated affair, and so it has ever since remained. The exact manner of celebrating it, to be sure, varied greatly through the first eight or nine centuries. Every

[4] Word and thing are held together by a scarcely intelligible circumstance. The ancient words of dismissal used in the rite were: *"Ite, missa est."* ("Go; it is dismissed.") But the words can be understood in some such translation as "Go; that is the *missa*." Hence a perfect participle of a familiar Latin verb became a new Latin noun of the utmost importance in ecclesiastical vocabulary. Its earliest known use as a noun is in a letter of St. Ambrose, Bishop of Milan, in the fourth century.

[5] This word in the Athens of the days of Pericles meant a public duty generally of a religious nature which wealthy citizens were expected to assume.

important city had its own practices, which were jealously preserved from generation to generation. In course of time, the rite of the city of Rome was everywhere introduced in western Europe. The other rites either disappeared entirely, or were combined with the Roman rite to form a special local rite, such as that which is still employed in the cathedral at Milan. Not till the eleventh century was the Roman rite substituted for the so-called Mozarabic in Spain. In the East, the various churches continued to use their own rites and still do so.

The Roman Liturgy as it was known in the Middle Ages was in two parts. The first was called the *Ordinarium Missæ,* the Ordinary of the Mass, because the pages that contained it in the service books were headed, *Ordo Missæ.* It is the derivative of the ancient Mass of the Catechumens, which those could attend who were still being catechised, prepared for reception into the Church. It consists of several fixed parts, the so-called Common, such as the *Gloria in Excelsis,* the Creed, and the *Sanctus.* There is also a Proper of the Mass, certain psalms and prayers, and two scriptural readings, the Epistle and the Gospel.

The second part of the Mass is the Canon, so called because of its fixed, standard character. This is the descendant of the Mass of the Faithful, at which only members of the Church were allowed to be present. In the course of the Canon, the celebrant of the rite repeats over the bread and wine the words of Christ, "This is my body," "This is my blood." This is the first focal act of the rite. The second is the communion, in which the celebrant consumes the consecrated bread and wine.

Around these focal acts there have developed a body of prayers and a ceremonial. The Canon of the Mass is often said to resemble a symbolic drama of the crucifixion of Christ. It is celebrated at an altar which must be so placed that the celebrant faces the east. In the altar, there are deposited relics of some saint. The altar is covered with a linen cloth, and on it stand six candles. The celebrant and his assistants wear ceremonial garments which represent those worn by Jesus during his last day. The bread consists of specially made wafers of pure wheat and water, without yeast. The cup, or chalice, which is to hold the blood of Christ must be of gold, or at least must have an inner surface of gold. The colors of the vestments of the celebrant and of the cloth with which he covers the chalice vary according to the season or the feast. White is the color of Christmas and Easter, red, of the martyrs, purple, of the seasons of penitence, and black, of death.

Every gesture of the celebrant is regulated by the Canon of the Mass in its rubrics, the portions in *litteræ rubricæ,* red letters. At the consecration, "he takes up the host" (that is, the *hostis,* victim, the bread about to be consecrated) . . . "lifts his eyes upwards" . . . "makes the sign of the cross over the host" . . . then "holding the host between the first fingers and thumbs of both hands, he says the words of consecration silently with clearness and attention over the host, and at the same time over all the other hosts, if several are to be consecrated." . . . "As soon as the words of consecration have been said, he kneels and adores the consecrated host. He rises, shows it to the people, puts it on the corporal

(a small linen cloth, from *corpus,* body), and again adores. Then uncovering the chalice, he says . . ."

In the medieval church, the Mass was most frequently what today is called High Mass. The Ordinary was sung, either by the people or by a choir. The music to which the words of the Mass were set is called plain chant. (Some prefer to call it plane chant, and believe that this better expresses the fact that it contains no harmonies, but is sung in unison on a given melody, or tune.) It is often called Gregorian after St. Gregory, Bishop of Rome from 590 to 603, who ordered the collection and preservation of the traditional music long since in use.[6]

The early Christians made it a practice to recite the Psalms every day. They were regarded as having great spiritual content, and as being in many cases equivalent to the words of Christ. When, for example, they read:

[6] The most ancient melodies are very likely derived from the Jewish temple music. They are not composed in our modern major and minor keys, but in twelve modes. Plain chant scales never use the black keys of the piano, since their only half tones are the intervals from B to C, and from E to F. Any mode can be constructed by starting on any of the white keys and playing through to its octave, with the exception of the note B. Six of the modes are simply pitched lower than the other six. Their scales start two and one-half tones below the corresponding authentic mode. These so-called plagal (from Greek *plagios,* aslant) modes are said to have been invented by St. Gregory. The modes receive their names from the names given to perhaps similar modes used by the Greeks. Thus, the authentic Dorian mode is: D, E, F, G, A, B, C, D; its corresponding plagal, the Hypodorian is: A, B, C, D, E, F, G, A. The half tones come in the third and sixth positions in both. The Ionian is the same as the modern major mode, beginning on C, and having the half tones in the fourth and eighth positions. There is nothing corresponding to the modern minor mode.

"My strength is dried up like a potsherd, and my tongue cleaveth to my jaws, and thou hast brought me into the dust of death. For dogs have compassed me and the assembly of the wicked have inclosed me. They pierced my hands and my feet. I may tell all my bones. They look and stare upon me. They part my garments among them and cast lots upon my vesture,"[7] this is Christ speaking of his own death.

As monastic communities began to come into existence, they made it their special duty to read the Psalms together. The plan given by St. Benedict, the sixth century monastic leader, in his Rule, contemplates this reading to be completed in one week. The Psalms were arranged into eight groups for every day. The first of these was the Night Office, the *Nocturnæ,* later called Matins, because it was recited shortly after midnight. The seven hours of the day were: Lauds ("Praise") recited about five in the morning; Prime, at the first hour of the day, that is, sunrise, or about seven; Terce, at the third hour of the day, about nine; Sext, at the sixth hour, about noon; None, at the ninth hour, about three; Vespers at sunset, and Compline at bedtime. To the Psalms were added several other elements, reading from the Scriptures, Responsories, Antiphons (passages recited before and after each psalm or group of psalms, a word nowadays corrupted into anthems) and above all metrical rhyming hymns, the most ancient of which are associated with St. Ambrose (334-397), Archbishop of Milan. These hymns differ from ancient Latin verse in that they depend more on accent for their metrical effect than

[7] Psalm XXII. In the Vulgate, Psalm XXI.

on quantity, as well as in their common use of rhyme.

As time went on, this Divine Office, as the Hours of Prayer were called collectively, underwent the influence of the Liturgy. The Psalms were no longer simply recited so as to be completed in a week. The hymns were no longer simply those appropriate to the hours of the night and day. Special selections of psalms were made appropriate to the feast or the season. Special hymns were composed appropriate to Christmas, and Easter and the saints' days. The morning Hours stood in a fixed relation to the celebration of High Mass. In a sense, the Liturgy absorbed the Divine Office.

Besides the public prayer of the Church, individual Christians were all expected to worship God by praying to him, that is, telling him their wants, and trying to find out, by an enlightenment of their souls, what he wanted of them. Individual prayer was supposed to take the form of a conversation with God.

However, the Church recognized that most individuals were unable to carry on this mental prayer, and so from time to time permitted and encouraged individuals to use set forms of verbal prayer believing that God would understand their intentions through these words, though the words and intentions were only remotely connected. At the head of the list stood the repetition of the prayer which Christ himself taught his disciples, the so-called Lord's Prayer or the Our Father (*oratio dominicale*, or *pater noster*).

The Church taught that it was not only well to pray to God, but to pray to those human souls whose lives had been so holy that they had immediately gone to heaven,

and were now the friends of God, the saints. The greatest of all the saints was held to be the Mother of Christ. The principal prayer to her, the Hail Mary, ranked as second to the Our Father in general use and importance. This prayer contains the first two sentences of the words of the angel to Mary when he announced that she was to bear the Son of God, and a request for the prayers of Mary for "us sinners, now and at the hour of our death."

The vast majority of the thousands of saints acquired that status through popular usage, but the Church sometimes declared what persons were quite certainly in heaven and might be publicly addressed in prayer. The medieval process of canonization was carried on by the Pope, or Bishop of Rome. It had to be proved that the person had led a life of heroic virtue, that since his death people had begun spontaneously to pray to him, and that as a result of such prayer certain well authenticated miracles had occurred.

Since their bodies were holy only to a less degree than their souls, an important form of devotion was that which attached to the relics of holy persons. These relics, the whole body of a saint, or only a bit of his bones, or of his garments, were preserved in the churches, and exposed to view on solemn occasions for the veneration of the faithful. The acquisition of relics was one of the principal occupations of the Middle Ages and as much zeal was evinced in this matter as today is evinced in the acquisition, say, of gilt-edged securities. Naturally, there were false relics as well as true, despite all precautions taken against them. There were in Europe at one time, for example, three complete skulls of St. John the Bap-

tist. The most precious of all relics were those connected with the death of Christ, the wood of the true cross being naturally most holy of all. The true cross was generally believed to have been found by Helena, mother of the Emperor Constantine, in the fourth century.

MIRACLES

From the poetry of the Christian religion as contained in the prayer of the Church, it is an easy step to that fourth and last aspect of its poetry, the miraculous. It was the opinion of the theologians that the words of Jesus were entitled to special respect because of his wonder working: his healing of the sick, making the blind to see, the deaf to hear, the dumb to speak, the lame to walk, his raising of the dead, as Lazarus, and the daughter of Jairus, and his defiance of the order of nature, as when he walked on the waters, multiplied the loaves and the fishes, and made the fig tree wither. The first disciples also worked miracles of the same order. The prayer of the Church, especially the lessons read at the second Nocturne of the Divine Office, recounted for the edification of the faithful the wonderful things that the early saints had done.

The literature of the miraculous which accumulated throughout the Middle Ages is immense. The chroniclers were, almost without exceptions, members of one or another religious order. They never hesitated to interrupt their narrative of wars and political doings with an account of some supernatural phenomenon, how so-and-so was afflicted with devils, how marvellous cures were

worked, how prodigies appeared on earth, or how terrible portents were seen in the heavens. Beside the miracles recorded in the chronicles, the accounts, some genuine, some utterly spurious, of the acts of the saints (the *Acta Sanctorum*) rarely fail to relate some extraordinary feature of their lives or of their deaths. Thus, an abbot of the monastery of St. Denis, Hilduin by name, writing a life in 840 of the almost mythical Dionysius who was the patron of his monastery, eight centuries after the martyrdom of the saint, put in circulation the famous story of his decapitation. These *Acta Sanctorum* were *legenda,* things which "must be read," that is, read in the Divine Office, or at meal times in the monasteries. It was only when suspicion began to attach to their truth, that *legenda* came to have the value of our word legends, fictitious stories.

CHAPTER II

THE CHURCH AS A RELIGIOUS INSTITUTION

THE EPISCOPAL MONARCHY

The Church of the first generation after Christ was based on an inspired membership, ministry and government. The letters of St. Paul show us that in each church there were persons known as prophets, apostles, teachers, evangelists, persons who because of some special and miraculous sign were considered by the Christians to have been directly inspired by God.

The calling of St. Paul himself to his apostolate, as related in the book of the Acts of the Apostles, clearly illustrates what the early Christian Church required of its would-be leaders.[1] In addition to the miraculous vision and blindness which were heavenly signs of direct inspiration, Paul also underwent a purely mechanical rite, the laying on of hands, before his apostolate began. The early Church did not hold that this rite in itself conferred the powers of an apostle, yet the early Church did consider that the mechanical outward sign was a necessary, divinely ordained element in the calling. This rite was a mystery, a Greek word of long history in religious usage meaning a peculiarly sacred symbol of some holy truth. Mystery was translated sacrament by Latin Christians.

[1] Acts of the Apostles IX.

In the early Middle Ages, the whole material universe and all its parts were sacramental. Natural history was full of outward signs of invisible Godhead. The pelican was a sign of Christ because she was thought to suckle her young with her own blood. The writings of the saints are full of the symbolism of plants and flowers. To all the perfumes, to all the precious and semi-precious stones, hidden meanings were thought to attach. Above all, the stars were mysterious influences of God upon the ways and even the wills of men. The life of Christ on earth was, of course, pre-eminently a sacrament. All the solemn rites which accompanied the Christian soul: baptism, the Lord's Supper, unction of the sick and dying, the sign of the Cross traced on the breast were sacraments. Above all, the Christian Church on earth and in heaven (and the line between was not closely defined) was no mere human society, but the living Body of Christ.

The presence of this sacramental or mysterious element in Christianity put an early end to the rule of the inspired. This was especially the result of that greatest sacrament, the solemn re-enactment of the Last Supper of Christ. Christian communities early found it necessary to have an external test by which to know who might and who might not participate in this mystery, who might and who might not receive the consecrated bread and wine. It was necessary that the president who consecrated the bread and wine should have the power of administering them and of withholding them.

The presidency of the Eucharist early became fixed in each locality in an overseer, an *episkopos,* or bishop. To

prevent disputes and confusion, it was essential that the authority of the bishop be based upon his election to the episcopate. He was, of course, considered inspired as well. Bishops shared with the Holy Spirit the name of "Vicar of Christ," as evidence of their inspired character. But no external manifestation of inspiration, no miracle, was necessary as proof of the bishop's right to preside at the Eucharist. Election and the sacramental laying on of hands were enough. The bishop, elected and consecrated, thenceforth ruled the Church. The inspired and the wonder workers were subordinate to him.

The origins of the episcopal monarchy are in great dispute among scholars. The prevalent Protestant view is that the *episkopos* was at first merely the steward of the offerings of the faithful, that the Church was governed by the inspired apostles, prophets, and teachers. Through his control of Church property, the *episkopos* was able to usurp a spiritual authority which never belonged to him. The modern Roman Catholic view is that the Churches were first governed by the "older converts," the elders, or *presbyteroi*, and that the *episkopos* was president of the college of elders. The view set forth above, that the *episkopos* was whichever inspired Christian (apostle, prophet, or teacher) who temporarily, and, in course of time, permanently, presided over the Eucharist, is that of the great legal historian Rudolf Sohm. In his opinion, the Church of the apostles had neither law nor government. The practice of the rite of the Eucharist made it at length inevitable that an external discipline come into being. The presidency of the Eu-

charist carried with it the right to impose such a discipline upon the faithful.[2]

The bishop's presidency of the Eucharist carried with it a fourfold disciplinary power. In the first place, it was for him to set the conditions under which persons might enter into communion, and therefore to define what the catechumens, as those awaiting baptism were called, should be taught. Thus in every local church, the bishop replaced the apostles, prophets, and teachers. Through his voice, the Church, which was, mysteriously, Christ himself, made known Christian truth.

Secondly, the bishop had authority to lay down the rules of conduct for those who aspired to become Christians and for those who were already Christians, especially for those selected members of the group, the *klêros* (the called, or chosen), the clergy who assisted him at the Lord's Table. The bishop when he taught Christian truth was the mind of Christ and of the Church; but the bishop when he laid down the rules of Christian conduct was the will of Christ and of the Church. With the introduction of a law, the break comes, according to Rudolf Sohm, between primitive Christianity and "Catholicism." It is not easy nowadays to think of the Church as ever having lacked a law and officers. To our minds, church means society, and every society has some sort of govern-

[2] Adolf Harnack best represents current Protestant opinion. The difficulty with his view that the bishop usurped spiritual authority is that the deacons were charged with distributing the offerings of the faithful, and there was no permanent church capital to be administered. Hence there could be nothing for an *episkopos* to do. Best modern Roman Catholic opinion is to be found in the writings of the late Pierre Batiffol.

ment. But many texts both in the Gospels and in the letters of St. Paul seem to indicate that the early Christian was thought to be a law unto himself. The meeting of Christians in churches was only a witness of brotherly love, not a group at all.

Thirdly, the bishop was also a judge. Those who failed to assent to the truths he uttered, those who failed to bring their conduct into conformity with his laws were cut off from communion at the Lord's Table, cut off from the mysterious body of Christ. The bishop, in other words, had the power of excommunicating heretics and sinners. The Scriptural basis for this power is a mysterious passage in one of St. Paul's letters [3] relating to a Christian who had been guilty of incest: "In the name of our Lord Jesus Christ, when ye are gathered together, with my spirit, and with the power of our Lord Jesus Christ, let such an one be delivered unto Satan for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus." Excommunication appears to have been a sacrament, a symbolical representation of damnation (delivery to Satan) by which real damnation might be avoided.

The person excommunicated was called *anathema,* a Greek participle meaning "set apart." From time immemorial, the formula in which all rules of Church doctrine and morals have been couched concluded with the words: "*anathema sit.*" "If anyone shall do so and so, if anyone shall say so and so, let him be excommunicated."

The ferocity of the language and the symbolism of ex-

[3] I Corinthians V. 4-5.

communication increased in the course of time. Persons under excommunication were to be avoided by all the faithful. They could not act as judge, juror, notary, witness, or attorney. They could not be guardians, executors, or parties to contracts. After death, they received no Christian burial, and if, by chance, they were buried in consecrated ground, their bodies were to be disinterred and cast away. If they entered a church during Mass, they were to be expelled, or the Mass discontinued. After the reading of a sentence of excommunication, a bell was rung as for a funeral, a book closed, and a candle extinguished, to symbolize the cutting off of the guilty man. To ban with bell, book and candle remains an English idiom for a thoroughgoing condemnation of any sort.

The penalty for a member of the clergy corresponding to excommunication for the laity was deposition. A deposed cleric in the earlier Middle Ages practically ceased to be a priest. No rite performed by him was considered to have any spiritual effect. If he were ever re-instated, however, he was not re-ordained, that is, he did not again pass through the rites by which he had first become a cleric. In the later Middle Ages, because of this fact, theologians concluded that even a deposed cleric could administer the rites of the Church, though he did so illegally.

Both excommunication and deposition were always thought of not as mere punishment in the sense of revenge, but as medicinal. The soul of the guilty man was thought to be benefited by his penalty. In most cases, the bishop had authority (and this was his fourth power) to impose penitential works upon the excommunicated or

deposed person. These works consisted of months or years or a lifetime of fasting, prayer, the wearing of a penitential garment, pilgrimage to holy places, almsgiving. This external penance was supposed to be the outward sign of inward sorrow for sin. If the penitent persisted in it, he might once more be restored to the Eucharist, or even restored to his priestly office.

Thus the Christian Church became a Church of law and authority instead of a number of unorganized and inspired enthusiasts. But it was still a sacrament, the real Body of Christ, whose law was the law of the very nature of God himself. In other words, the Church was not considered in the early medieval period as a society, a club, or a corporation, but as a mystery. If the bishop were teacher, legislator, and judge, as well as the chief priest in every Christian gathering, this was not because he was the voice or organ of an independent society, but because, mysteriously, he was the voice or organ of the living Body of Christ.

BONDS OF UNITY

From the sacramental nature of the bishop's office, it follows that the Church of the centuries preceding the year 1200 is to all appearances badly organized. All its great writers insist upon its unity, and yet it seems to possess no single supreme organ or authority.

There were hundreds of bishops in the early medieval Church. Each of these was the voice of Christ in his own city or diocese. But in a certain sense, he was also the

voice of Christ in the whole Church. Only a few bishops, relatively speaking, were literary men, but those who were, those whose works were widely circulated throughout Christendom, were generally treated as being everywhere authoritative, and were known as the Fathers.

The age of the Fathers, the Patristic Period, begins with the end of the apostolic age, about the year 100. St. Bernard (1091-1153) is regarded by Roman Catholics as being the last of the Fathers. The Greek Orthodox patristic period generally is held to close with the Council of Florence (1438). Protestants hold the age of the Fathers to have ended in the West with Pope Gregory I (590-603) and in the East with St. John of Damascus who died about 754. There is some question as to how great a departure from orthodoxy is possible without loss of the title of Father. Arius has never been counted a Father, but Tertullian (lived circa 200) is so counted though he joined a heresy known as Montanism.

The eastern and western Churches have each four Fathers whom they recognize as peculiarly eminent. In the East, there are Athanasius (297-373), who elaborated the doctrine of the Trinity; Basil (330-379) author of a monastic rule, and reformer of the Liturgy; John the Golden-Mouthed (Chrysostomos, 347-407) so called because of the eloquent sermons in which he flayed the abuses of Constantinople, and Gregory of Nazianzen (329-389) an ardent defender of the divinity of Christ. In the West, there are Jerome, Ambrose, Augustine of Hippo, and Pope Gregory I, respectively translator of

the Bible, founder of the Liturgy, defender of the doctrine of saving grace, and expounder of popular religion.[4]

The exact degree of authority attaching to the writings of the Fathers has varied and still varies. At the close of the medieval period, the Roman Catholic Church defined that what the Fathers taught *unanimously* was true. The witness borne by the writings of the Fathers to the tradition of the Church is of greater weight than their individual interpretations of Scripture. In other words, their writings are taken rather as historical documents than as inspired texts.

Of all the bishops, those of the four so-called patriarchates of Alexandria, Antioch, Constantinople, and Rome, generally were given the most respect. The first three of these were Greek speaking. As the Latin speaking Church grew more self-conscious in the second century, and as due to many political and other causes, the eastern and western parts of the Roman Empire went their separate ways, the opinions of the Bishop of Rome acquired peculiar authority in the Latin Church. Indeed, Irenæus, Bishop of Lyons in the second century, lays it down that the opinion of the Bishop of Rome is the ultimate test of Christian truth.

The principal reason why bishops not only of western but of eastern Christendom looked to Rome for guidance is to be found in the peculiar character of the early

[4] The chief primitive Fathers, those writing before the Council of Nicæa (325): Irenæus, Justin Martyr, Origen, Clement of Alexandria, Cyprian, Tertullian, Gregory the Wonder-worker (Thaumat-Ourgos). Beside the eight post-Nicene Fathers already mentioned, the following may be named: Cyril of Jerusalem, Cyril of Alexandria, Epiphanius, Gregory of Nyssa, Hilary of Poitiers, and Pope Leo I.

Roman Christian community. It consisted chiefly of small colonies of eastern immigrants, resident aliens. Each such colony was inclined to follow the practices and opinions of the church in its home town. Hence, controversies generally first arose in Rome, and had to be settled there. The Roman bishop's decisions were then carried back into the provinces by members of the various Roman colonies.

There was, of course, a mysterious justification advanced for the respect in which the Roman Bishops' opinions were held. St. Peter, it was believed on good historical grounds, had co-operated with St. Paul in founding the Christian community at Rome. But St. Peter according to the evidence of the Gospels had been singularly honored by Christ on a number of occasions. When Christ asked his disciples who men said he was, and when, after their answers, he asked who they, themselves, said he was, one of them, Simon, answered: "Thou art the Christ, the Son of the Living God." Jesus then said: "Blessed art thou, Simon son of Jonah, for flesh and blood have not revealed it unto thee, but my Father who is in heaven. And I say unto thee that thou art Peter, and upon this rock I will build my Church, and the gates of hell shall not prevail against it." [5] Theologians argued that while all the bishops spoke with the voice of Christ, Christ might most certainly be heard in the voice of St. Peter's successors, the Bishops of Rome.

Other reasons may also be taken into account to explain the respect in which the Bishop of Rome was held. The city over which he presided was universally respected

[5] Matthew XVI. 17.

as the Mother of the World. When the German peoples were converted to Christianity, their missionaries, men like Augustine of Canterbury (died 607), and Boniface, apostle to the Saxons (680-755), were generally under the protection of the Roman Church, and communicated to their converts, the sentiments which they themselves held for it. It must also be borne in mind that the first barbarian invaders of the Empire, especially the Visigoths, were followers of the Arian heresy. The Latin population naturally rallied around the orthodox Bishop of Rome. Finally, the conversion of the dominant Franks to orthodox Christianity late in the fifth century led to a permanent alliance between this strong military power and the Roman Church, which was most useful to the latter. But none of these considerations explains adequately the respect in which Rome was held by the eastern theologians, who were not influenced so much by practical or emotional considerations as by speculative. To explain their respect, we must bear in mind the heterogeneous character of the membership of the early Roman Church.

The bishops, individually, were not the only organs by which the mind and the will of the Church were made known. The Acts of the Apostles record a meeting at Jerusalem in which certain vital problems of the early Church were discussed and determined.[6] This meeting was regarded as the precedent for the Church Council, and the opinions enunciated by these Councils had even more weight than those of most individual bishops.

[6] Acts of the Apostles XV.

Theoretically, only General Councils,[7] those in which all the bishops of Christendom were present or represented, had authority in the whole Church. The first General Council of the Church was held at Nicæa, near Constantinople, in 325, under the presidency of the Emperor. As a matter of fact, very few western bishops were present at this Council, but since the Bishop of Rome was represented, the churches of the West were prepared to accept its definitions. In the five hundred years following Nicæa, seven or eight General Councils were held in the East.[8] As a result of their work, Christian doctrine achieved the form which it has ever since maintained.

The ninth century witnessed the great controversy over the use of images in the churches, the so-called Iconoclastic controversy.[9] As a result of this controversy, the great schism or division between East and West began, and since then the eastern churches have recognized no Councils as General. In the West, three centuries passed, before any Council was so considered. Meanwhile, however, both in the East and in the West, there were innumerable local Councils. Every bishop, in fact, might call the clergy of his city into a Council, or Synod, and the decisions of the Synod were considered of greater weight

[7] Often called Ecumenical Councils, from a Greek word which means "belonging to the whole inhabited world."

[8] There is some dispute as to what Councils were General and what were not. The Roman Catholic list is as follows: Nicæa I, 325; Constantinople I, 381; Ephesus, 431; Chalcedon, 451; Constantinople II, 553; Constantinople III, 680; Nicæa II, 787; Constantinople IV, 869.

[9] Iconoclastic is from the Greek, and means image-breaking.

than those of the bishop. Again, many dioceses, or episcopal areas, were grouped under metropolitan bishops, and the metropolitans commonly held Councils of the bishops and higher clergy of their provinces. Such a great prince as Charlemagne was able to bring together Councils of the bishops of his whole domain, to set a precedent for the summoning of national Councils. The decisions of all these Councils were respectfully regarded by the whole Church.

However, the growing influence of the Bishop of Rome brought it to pass that the Councils which he summoned, the first of the series being in 1123, came to be regarded in the West as General Councils, the legitimate successors of those which had met in the days before the Iconoclastic controversy.[10]

With so many bishops and so many councils, all claiming to be the voice of the Church, and therefore of Christ, the early medieval Church offers a spectacle of great diversity in Christian opinion and in Christian practice. The standard rule of the faith laid down by St. Vincent of Lerins in his *Commonitorium* in the fifth century was what was believed "always, everywhere, and by everybody." This test, as a matter of fact, could be successfully applied to only a very few Christian doctrines.

[10] The later Councils considered General by the Roman Catholic authorities are as follows: Lateran I, 1123; Lateran II, 1139; Lateran III, 1179; Lateran IV, 1215; Lyons I, 1245; Lyons II, 1274; Vienne, 1311; Constance, 1414; Basle, 1431; Ferrara-Florence, 1438; Lateran V, 1512; Trent, 1545; Vatican, 1869.

Under these circumstances, it is hard to understand how Christian unity could have been maintained at all. We have already seen that it was not maintained so far as the East and the West were concerned. In the East, furthermore, Constantinople failed to maintain unity. The West was repeatedly harassed by grave differences of opinion and by savage controversies between bishops. The inroads of the Anglo-Saxon in the fifth century removed most of Britain from Christendom, while that of the Saracens in the seventh tore away northern Africa and Spain. The actual area which had to be kept together was therefore relatively small. The question is, what kept it together?

This brings us to the second important consequence of the early medieval conception of the Church as the mysterious sacramental Body of Christ. The Church was in no sense considered a self-governing corporation. In the Body of Christ, there were clergy and laymen. "Since the Founder of everything," wrote an eleventh century lawyer, "left man wanting in nothing in the things which he had founded, he laid down for him a twofold law. One of these he has declared to ecclesiastical men through the apostles and their successors, but the other he has distributed to layfolk through emperors and kings." Indeed, the Christian view of civil society was taken from that of St. Augustine of Hippo (354-430) as expressed in his great work, the *City of God*. "Without justice," he cries, "what are kingdoms but great robber bands; what robber bands but little kingdoms?" Un-

less the state rendered due worship to God, it could not have justice. But if it did render such worship, then the commands of its governors obliged the conscience of all Christian people. As late as the eleventh century, St. Peter Damian, the most ardent champion of the independence of the bishops, lists among the sacraments the rite of anointing kings. Thus we see that the kingly office was considered as much a mystery and having as much a place in the mysterious Body of Christ, as the episcopal. We have already noticed that it was an emperor and a still unbaptized emperor, Constantine, who brought together the first General Council of the Church. We have seen that national Councils were summoned by great secular princes. We shall not go too far if we attribute the maintenance of external unity in the western Church during the earlier medieval period to the influence of the Roman Emperors and of the Frankish Kings. Especially among these, account must be taken of Charlemagne, whose Council of Frankfort (787) laid down standards for the Church in France; whose co-operation with the Bishop of Rome led the latter in 800 to confer the title of Emperor upon him; and whose missions into Germany led to the addition of peoples never Romanized to the Christian fold.

But if it was the civil power which gave unity to the Church, its interference in ecclesiastical affairs brought also far-reaching consequences in the prevailing idea of what the Church really was. The Church may have been a mystery. But from the fourth century, the Church had become the possessor of property. Additions to the Roman Law made by the early Christian Emperors made

it possible for the bishops to inherit land on behalf of their churches.

The century of the invasions (400-500) brought with it an enormous accretion of Church property. In his treatise against avarice, Salvian, a priest of Marseilles who witnessed the ravages of the Goths, presents the arguments which moved the faithful to be liberal with the Church. Everything they possessed in this world, he declared, belonged to God. It was only justice to see that God, in other words, the Church, got it back. Salvian hardly expected that the faithful would divest themselves of their property while they lived. The least they could do was to leave it to the Chuch in their wills. The Church, declared Salvian, had been constituted by Christ as guardian of the poor. It is wrong, he said, to encumber one's sons and relations with soul-destroying riches.

The owners of all this property were God and the saints. In the few years in which the Christian Roman Empire in the West remained intact, the bishops were left unmolested as the administrators of this divinely-owned property and the Emperors intervened to see that no heretical sects dispossessed them. The barbarian invaders of the fifth and sixth centuries were not endowed with a knowledge of the Roman Law which could leave property vested in God and the saints. A marked change in the view of Church property accompanied the setting up of Frankish dominions west and east of the Rhine. The Frankish Kings and the great lords of their kingdom regarded the holdings of dioceses and of monasteries as belonging ultimately to them so far as they had an earthly owner. The bishop or the abbot came to be con-

sidered rather less as administrators of property which belonged to God than as tenants of property which belonged to the king. The holdings of the Church no less than those of the laity were looked upon as pensions to be granted royal followers in return for faithful service or a means of acquiring it. The consequence was that a very large number of bishops were appointed to their bishoprics by the king for reasons that had little to do with their fitness for the office.

By the tenth century, matters had grown even worse. The revenues of a diocese or a monastery were so considerable that it was well worth anyone's money to buy the episcopal office outright. This practice was known as Simony; a vice named after Simon the Magician who, according to the Acts of the Apostles, offered St. Peter money for the gift of the Holy Spirit.[11] Bishops who had bought their bishoprics were rarely noted for spirituality. Many of them were married, either officially or unofficially, and had heirs. The Church seemed to be in danger of falling into the hands of an hereditary caste. Against the evils of Simony and of episcopal marriage, the reforming Bishops of Rome took vigorous measures late in the eleventh century. As a result of their efforts, the whole conception of the Church was destined to undergo a profound change.

THE CHIEF SACRAMENTS

The Church of the early Middle Ages was itself, as we have seen, a sacrament. But almost all the official acts

[11] Acts of the Apostles VIII.

of its clergy were likewise sacramental, that is, they were the outward signs of spiritual truths. It is impossible to give any list of sacraments of the Church prior to the twelfth century, because there was no uniformity of opinion as to how many there were.

Baptism, first of the sacraments, was a symbolical washing away with water of the guilt of original sin. After his resurrection, Christ had told his disciples to baptize everyone in the name of the Father, Son, and Holy Spirit, adding that those who were baptized would be saved and that those who were not baptized would be lost.

Baptism was accompanied by many sacramental rites. The person baptized was anointed with consecrated oil and consecrated ointment. A few grains of salt were put in his mouth, because Christ had said to his followers: "Ye are the salt of the earth."[12] He was given a candle to hold, because Christ had said: "Ye are the light of the world."[13] The person administering baptism touched him with spittle, in memory of the occasion when Christ healed the deaf and dumb man.[14] A white cloth was placed on his head as a symbol of the purity which baptism had conferred on him. He was given a Christian name, and hence the rite has been called in English-speaking countries "christening." From at latest the fourth century, the baptism of infants became the rule, the Church making itself responsible for the child's will to be saved; on this account the necessary profession of

[12] Matthew V. 13.
[13] Matthew V. 14.
[14] Mark VII. 33.

faith was made for the child by sponsors, godfather and godmother.

It was generally agreed that there was a sacrament by which persons were set apart as clergy, the sacrament of order. There were no less than eight different rites involved in this sacrament. The first was tonsure. In this rite, the bishop, who usually administered order, clipped a few hairs from the head of the person to be ordained, the ordinand. This admitted him to the clergy. Next he entered the order of doorkeeper, then that of lector or reader in the Church, then that of exorcist by which he received power to cast out devils, and then that of acolyte, or minister at the altar. These were the so-called Minor Orders. Holy Orders followed. The first was that of subdeacon which conferred power to assist the deacon and to read the Epistle at the rite of the Eucharist. Next was that of deacon. The deacon received the power to assist the celebrant and to read the Gospel at the same rite.

Last came the order of priesthood. In the ceremony by which this order was conferred, the hands of the ordinand were anointed and blessed, and he was given the consecrated vessels used in the Eucharist to touch. The bishop conferring the order then proceeded to celebrate the Eucharist, while the ordinand read with him all the prayers accompanying that ceremony. The holy vestments which the priest alone was entitled to wear were put upon him. Last of all, the bishop laid his hands on the ordinand's head and said: "Receive the Holy Spirit. Whose sins ye remit are remitted; whose sins ye retain are retained." Thus the priest possessed a twofold

power. The first was that of celebrating the Eucharist, the second was that of remitting sin.

The bishop, who, as we have seen, was originally the president of the Eucharist, had ceased by the early Middle Ages to belong to a different order from that of the priests. Those who became bishops received not only all the orders but received also a consecration which theologians considered itself to be a sacrament. In the ceremony of consecration, the bishop was given a book of the Gospels as a reminder of Christ's charge to his apostles to preach the Gospels to all peoples. He was given a shepherd's crook, or crozier, to remind him that his relation to the faithful of his diocese must be that of a shepherd to his sheep. On the fourth finger of his right hand a ring was put to symbolize the marriage by which the Church which he impersonated sacramentally was made one Body with Christ. A mitre set on his head indicated that he possessed the Kingship of Christ.

There were also archbishops or metropolitans. An archbishop was simply a bishop who possessed more or less authority over a number of other bishops called his suffragans (helpers). The dioceses under an archbishop were called his province, his own diocese was called an archdiocese. From a very early date, the sacrament associated with a metropolitan was the *pallium*. This, a strip of woollen cloth worn over the shoulders, was sent him by the Bishop of Rome. It was made of the wool of consecrated sheep by the nuns of St. Agnes's convent at Rome.

Among the sacraments, the Eucharist occupies a peculiar position. It was the re-enactment of the Last Sup-

per of Christ. In it, the faithful received at Holy Communion the consecrated bread and wine. Almost from the beginning of Christian history, it was believed that the bread and wine underwent a miraculous change at the consecration and became the real Body and Blood of Christ. Since they were no longer signs but realities, the Eucharist was something more than a sacrament; it was first and foremost a sacrifice, what western Europe came to know as the Sacrifice of the Mass. It was the Body and Blood which were *given*. The Eucharist was part and parcel of the sacrificial death of Christ on the Cross.

As Christ's sacrifice on the Cross was for the sins of the whole world, was directed to supply all human wants, so the Eucharist might be offered for particular sins and for particular wants. If the priest, when celebrating the Eucharist did so for the remission of the sins of some person or for the supplying of some person's legitimate needs, it was considered reasonable that he should receive a stipend.

The number of Masses for which stipends were paid was vastly enhanced because of the belief that the souls of persons deceased could be benefited by the celebration of Masses. We shall have to consider the theological basis of this belief presently. It is sufficient to notice here that an immense capital was devoted throughout the Middle Ages to the support of priests whose only duty was the celebration of Masses for the repose of the souls of individuals who, in their wills, had thus disposed of the requisite funds.

Holy Communion, the reception by the faithful of the Body and Blood of Christ, was held to confer upon them

the powers necessary for the conduct of a religious life. It was believed that the faithful might participate in Communion unless they had committed a grave sin. Minor faults of conduct, venial or pardonable sins, were considered to be forgiven by the reception of Communion. Those who had committed mortal or deadly sin were required to repent and do penance before approaching the Lord's Table.

The exact manner in which bread and wine could undergo the Eucharistic change was not defined during the early medieval period. There was no want of controversy on the subject and many voices were heard to the effect that something less than a complete change occurred. Early in the twelfth century, the word transubstantiation was introduced into theological language to describe what happened in the Eucharist. A distinction was adopted from the logic of Aristotle between substance and accidents. The latter were all those things, touch, taste, length, breadth, etc., by which substances are usually known. In the case of the Eucharist, it was held that the accidents which normally belong to bread and wine were detached miraculously from their normal subjects, that is, bread and wine. The Eucharistic elements continued to have all the appearances and properties of bread and wine, but their substance had been changed. It was not until the thirteenth century that this doctrine of transubstantiation received its ultimate refinement.

From the earliest times, the Church knew of a sacrament of penance by which persons guilty of grave sin after baptism might have their sin remitted and be restored to communion. In the first ages of Christianity,

external acts of penance, exclusion from the Church, the wearing of penitential clothes, fasting, prayers, almsgiving, were considered the sacrament or sign of the inner sorrow for sin which was necessary. After the penitent had undergone several years of this discipline, he was solemnly readmitted to the church and the bishop declared his sin remitted. It was a sacrament which, until Christianity became the official religion of the Empire, could only be received once. Indeed, many sinners were never allowed to receive it, but might be given a last Communion on their death beds, as a special grace. During the centuries in which western Europe was undergoing adjustment to the new political conditions brought about by the barbarian invasions, the penitential system of the Church was a valuable aid in maintaining civil order. Bishops were the only ones sufficiently influential in their communities to make any impression on malefactors. The penitent was either one publicly condemned as guilty of some grave sin, or else a person really moved by sorrow who came to the sacrament and confessed what he had done. The severity of penance, as well as the fact that it could only be received once, kept the vast majority of Christians away from the sacrament.

Monasticism brought about a great change in the conception of sacramental penance. In Ireland, the monks, from an early period, had been accustomed to confess their faults to the community or to another monk and receive absolution. This practice passed to the monks on the continent, and was ultimately taken up by the Church as a whole. Everyone, layman or priest, was encouraged to adopt the habit of frequently seeking out a

member of the clergy and confessing his faults. The clergyman hearing confessions took over the power formerly belonging only to the bishop of imposing penance and granting absolution. He was considered bound never to reveal what he had heard in confession so that the faithful would have less hesitation in seeking private absolution. Only the gravest cases involving Church discipline were classified as reserved, which meant that they were referred to the bishop.

By the year 1100, there were thus two sorts of sacramental penance common in the Church: the old public excommunication of open and unrepentant sinners, especially civil and ecclesiastical rulers who disobeyed their superiors; and the new secret confession and absolution for the ordinary sinner and the ordinary sin. In this distinction, there lay the germ of the late medieval division between the "external court" (*forum externum*) of the bishop as an officer in the self-governing corporation of the Church, and the "internal court" (*forum internum*) of the priest administering the sacrament of penance. This division in turn led to the idea that a bishop had a twofold power, the power of jurisdiction by which he presided over his external court, a power which he could exercise even if he had never received consecration, and the power of order, by which he and other priests, because they had been ordained, presided over the internal court and gave sacramental absolution. The history of the transition from the early medieval view of the Church as a sacrament to the later medieval view of the Church as a corporation turns very largely on the development of these ideas.

With the decline of the practice of public penance and the increasing use made of the secret sacramental absolution in which a merely nominal penance was imposed upon the sinner, there went an increasing emphasis upon the doctrine of Purgatory. It was held that penitential works of fasting, prayer and almsgiving, which had not been performed in sacramental penance during this life, would be replaced by sufferings of greater or less intensity and duration in the world to come. The place of this suffering was Purgatory; and to alleviate the sufferings of the departed, the Sacrifice of the Mass for their souls was considered most valuable. It was for this reason that endowments in perpetuity of such Masses were commonplaces.

THE CANON LAW

Although the early medieval Church recognized no distinction between the power of jurisdiction and the power of order, between the bishop as judge in a court and the bishop administering sacramental penance, we may here conveniently consider what was involved by medieval conceptions of the canon law and the bishop's court which administered it. We have already noticed that in the early medieval Church, there was no distinction drawn between the law of God and the law of the Church. It follows that there was no real difference between a theological sin and a legal offense. The sources of canon law were precisely the same as the sources of theology, and were five in number, namely: Holy Scrip-

ture, the decrees of bishops and particularly of the Bishop of Rome, the Canons of Councils and particularly of General Councils, the writings of the Fathers, especially St. Augustine, and the consent of the universal Church, which in St. Augustine's words "assisted the truth." All these were organs of the Holy Spirit.

What the Holy Spirit thus pronounced to be lawful and good was considered to be absolutely unchangeable. Apparent conflicts in the canon law could all be resolved if piously studied. It was the effort to effect a thoroughgoing reconciliation of such conflicts that led Gratian in the twelfth century to compile his "Concordance of Discordant Canons."

Although the canon law was considered unchangeable, it was admitted that the bishops and particularly the Bishop of Rome could grant given individuals a dispensation from it, if such dispensation were for the utility of the Church. This power of dispensation was also sacramental, and, like the power of absolution, based upon what was known as the "power of keys." This name was given it because Christ had said to St. Peter: "I will give to thee the keys of the Kingdom of Heaven. Whatsoever thou shalt bind on earth, shall be bound in heaven, and whatsoever thou shalt loose on earth shall be loosed in heaven." [15] The "power of keys," as it concerned dispensation, did not mean the power of making or unmaking laws. The law stood; but persons were exempted. Thus St. Gregory the Great (540-603) dispensed the priests of the English mission under Augustine of Can-

[15] Matthew XVI. 19. The indulgence also was granted by reason of the power of keys. See below, p. 75.

terbury from the law requiring the clergy to abstain from marriage.

The bulk of the canon law was concerned with the moral obligations of priests and of laymen, especially as they arose from the sacrament of order and from matrimony. An immense number of canons, for example, deals with the penalties to be imposed upon clergy who, in one way or another, have overstepped the limits of perfect celibacy. Another considerable body is concerned with the obligation of obedience of monks to their abbots, or of priests to their bishops. The regulation of family relations, all of which were held to derive from matrimony, forms the matter of many canonical utterances. The degrees of relationship within which persons might not marry received much attention. The problem of divorce was also the subject of many canons which modern scholarship has found somewhat inconsistent with one another.

Another considerable portion of the canon law dealt with matters of a civil rather than a criminal character. All ordinary relations of contract or debt entered into between a clergyman and a layman were regulated by canon law. All acquisitions and transfers of property which concerned the Church also came within its purview. Because the Church was supposed to have an interest in all property left by will, the probating of wills was regulated canonically.

All this business was within the jurisdiction of the bishop. The civil power conceded this jurisdiction to him; and it enforced his decisions if necessary in *all* cases in which a clergyman was involved. If a man could

prove that he was a cleric, that he had received the tonsure, he was exempted from the jurisdiction of the temporal courts, according to the claim of the Church. He enjoyed what in England came to be known as benefit of clergy, a legal immunity which remained a scandal of English jurisprudence long after the Reformation. Furthermore, the civil power was accustomed to enforce the decrees of Church courts in all cases concerning the sacraments of spiritual matters, whether the parties were clerics or laymen.

Procedure before a bishop was twofold. In the first place, it was necessary to establish the facts involved. The bishop alone, or a person delegated by him, was expected to ascertain these facts either by confession or by conviction. To obtain confessions, torture was frequently resorted to on the principle that an innocent man would, with the help of God, endure any amount of pain rather than lie. Conviction could usually be secured upon the oath of two witnesses, although, under Germanic influences, the ordeal was occasionally allowed an accused person as a means of clearing himself. The theory of this part of the procedure was that God revealed the facts.

The second part of the procedure involved the determination of what law was applicable to the established facts. For example, if it were established as a fact that Titius had married his second cousin, it remained to determine whether such a marriage were unlawful or not. The general rule was that the bishop must call together the clergy of his diocese into a Synod for this purpose, even though Titius were willing to admit his culpability.

This second part of procedure was thought of not as concerning God but as concerning men. In the late eleventh century, canonists began to maintain that the rules of procedure for determining the law of the case could be made and unmade by men. This was the entering wedge for the whole conception of a man-made law of the Church as distinguished from a law of God.

Within his diocese, the bishop was accustomed to delegate his authority to lesser clergy. These clergy were known as deans, archdeacons, and archpriests, and presided over inferior courts in districts of the diocese which took their names from the offices, viz., diaconates, archidiaconates, and archipresbyterates. We may also note that in the later Middle Ages, the bishop rarely presided over his own court, but delegated his authority to an "official."

FROM MYSTERY TO SOCIETY

It would be dangerous to overestimate the strength of the Church as such from the time the barbarians overwhelmed the Empire until the end of the twelfth century. Individual churchmen, bishops, and occasionally other clergy, were always important men in their communities and often throughout kingdoms. Their importance, however, could not have rested wholly upon their position in the mysterious Body of Christ. Rather, it rested upon their possession of the goods with which the Church was endowed, and they owed this possession, we must always bear in mind, not really to any act of the Church, not to election by the people and clergy of their dioceses, cer-

tainly not to sacramental ordination, least of all to that miraculous calling by God which was the theoretical basis of all authority in His Church. Their possession of Church property was generally the result of their appointment by the king, princes, and other military lords who regarded themselves as being the real owners of all Church property.

The bishop of the early medieval Church qualified for possession of the Church revenues exactly as if he were qualifying for lay revenues. From 500 to 1100, western Europe was an armed camp. Social disorganization was at its maximum. The military type of individual was uniformly ascendant when the decay of economic ties had left everyone estranged from his neighbor. The religious spirit flourished indeed, for reasons which we have considered. The priestly type reaped enormous material rewards, but consolidation of these material rewards, that is, their permanent and secure enjoyment under a reign of law, was impossible so long as swashbuckling and militarism were the rule. Religious men abounded, and their *individual* influence cannot be overemphasized. The Church Calendar draws the greater part of its saints' days from the memory of the holy men who lived in these parlous times. But the priestly ascendancy was intermittent, and was not infrequently carried on in the teeth of the fighting bishops who enjoyed and ruined the vast endowment of the Church.

The Church of the later Middle Ages, the one which we can clearly discern after 1200, was conceived as something more than sacramental Body of Christ. From 1200, the Church becomes in the minds of her leaders rather

an independent and perfect society of human beings founded and protected from wrong and error by Christ, than a heavenly mystery. The great sign of the change is to be found in the appearance of a law of the Church distinct from the law of God. How can there be such a law, unless there is a society whose members consent to its making? We noticed the confusion which prevailed in the earlier period as to what was really binding. We noticed that any Council, General or not, any bishop, whether of Rome or of Hippo, was conceived capable of declaring the law and truth of God. The Church of the later period would not abide such confusion. As a society, it required an authoritative organ for the expression of its will, and it found its organ in the Bishop of Rome, and in such Councils as he recognized.

Corresponding to a development of a law of the Church distinct from the law of God was the adoption of a distinction between the power of order and the power of jurisdiction. The power of order was whatever a bishop or priest might do as a result of his having received the sacrament of order. The power of jurisdiction was what belonged to a person by reason of his office in the society of the Church. A mere subdeacon might, as legate of the Bishop of Rome, have jurisdiction over an archbishop. Bishops were no longer consecrated until a letter from the Bishop of Rome authorizing their consecration had been read. Bishops referred to themselves as holding their dioceses, "by grace of God and of the Apostolic See," that is, of the See of Rome. This power of jurisdiction necessarily arose in order that there might be courts for the enforcement of the law of the Church

distinct from the law of God. The power of order, by which bishops and priests administered sacramental penance, was enough so long as there was only a law of God to be considered. But in the new conception of the Church, the enforcement of the law of God was left to the *forum internum,* the inner court, or court of conscience. The law of the Church was enforced under the power of jurisdiction in the *forum externum,* the external, or bishop's court, above all, in the court of the Bishop of Rome.

The Church organization of the later period developed a new body of persons who concerned themselves solely with the law of the Church, the canonists, or church lawyers. In the mid-twelfth century, the monk Gratian cleared the way for this great development by his "Concordance of Discordant Canons." In this epochal work, he attempts to bring order out of the confused declarations of the Councils and bishops of many centuries as to the law of God. His work represents the culmination of the growth of canon law during the days when the Church was thought of as a sacrament. His own view is still the old one. He has grouped his discordant canons around the principal sacraments, especially order, matrimony, the Eucharist.

After Gratian, importations from the Roman law into the practices of the Church courts and into the writings of the canonists became the rule. Early in the thirteenth century, Pope Gregory IX ordered the compilation of the first great code of canon law. The five resultant books, added to in the succeeding centuries, formed what is still known and used in the Roman Catholic Church under the

name of the *Corpus Juris Canonici,* the "Body of the Canon Law," by analogy to Justinian's sixth century compilation, the *Corpus Juris Civilis,* the "Body of the Civil Law." Medieval universities such as that of Bologna added the study of the canon to that of the civil law. Our modern degree, LL.D. (*Legum Doctor,* Doctor of the Laws), is derived from the early license to teach *both* the laws. The new canon law was no longer arranged according to the sacraments, but dealt successively with the categories of the civil law, persons, things, and actions. Civil suits were provided for as well as criminal, for the business of a bishop's court in the later medieval period included suits of almost every description in which clerical interests of any kind were conceivably involved.

The Church, now organized as a society with her own law and organs for its enforcement, took the remarkable step of relinquishing control over the sacraments. Not until 1200 was it finally admitted to be true that any person who had received priestly orders could effect the miraculous change of bread and wine into the Body and Blood of Christ, whether or not he were still a member of the Church, that even an excommunicated bishop could consecrate another bishop, and that the bishop consecrated by him could do likewise, and that a priest who had left the Catholic Church or been expelled from it could still remit the sins of a penitent who asked absolution of him not knowing that he was excommunicated. What was the reason for this? The Church no longer thought it desirable to function as a sacrament-giving body. She preferred to be recognized not because the sacraments could only be obtained from her, but be-

cause of her external law, and the power of jurisdiction of her officers.

Finally, it is important to notice that in the twelfth century, the number of the sacraments was settled upon as seven. The first person to give the official list of the seven sacraments was a Parisian theologian, Peter the Lombard, in his Summary of Judgments (or Sentences). The seven sacraments were: Baptism, Confirmation, Penance, the Eucharist, Extreme Unction, Order, and Matrimony.[16] That it was conceived possible to fix and limit the varieties of Christian sacramental action by law is significant of the profound change which had occurred in the conception of the Church.

[16] Book IV, Distinction 2.

CHAPTER III

THE CHURCH AS AN EARTHLY SOCIETY

THE RISE OF COMMUNITIES

Before we consider, in any detail, the organization of the Church of the later Middle Ages, we must examine briefly the process by which the later conception grew out of the earlier. We have so far treated the earlier Church as if it consisted merely of dioceses governed by bishops assisted by lower clergy. The primitive Christian community, that of the days of the apostles, was, however, all that its name implies. The first disciples led as nearly as possible a life in common. Above all, a near approach to perfect community of goods seems to have been practised. Community of wives and children was, of course, not feasible. The communities tended to limit themselves to those who were unmarried. Those who were married were in theory still members of the community; but the groups of unmarried men and of unmarried women who were able to lead lives of complete Christian devotion, and have all things in common were thought of as the heart of the community.

Every bishop had subject to him one or more of these communities, of men and of women. Throughout the early medieval period, the clergy of the bishop's principal church (cathedral) were organized into a chapter which to a greater or less extent led a common life, though this

sometimes meant no more than the common recitation of the divine office. This chapter is a survival of the time when all the clergy in the diocese were a community.

Meanwhile, community life had, of course, received the great impetus of the monastic movement. Curiously enough, monasticism (*monus*, alone) was a by-product of a tendency in early Christianity to look upon a solitary life as the ideal one. In those early days, Christian spirituality was thought to involve either the life of a priest or a devoted woman in one of the bishops' communities, or else a life of solitude, self-denial, and meditation apart from all human contacts. A Christian life in the world was considered impossible. The hermits, followers of the eremitical life, were therefore extremely numerous in the Church of the third and fourth centuries. The existence of solitude as a Christian ideal is only one more evidence of the fact that the Church in the earlier ages had no organic life. The so-called Fathers of the Desert, in the third and fourth centuries, were no less respected, no less regarded as forming part of the mystical Body of Christ that they bound themselves to avoid every contact with their fellow men. The eremitical ideal persisted in the early medieval Church. It was common enough for some holy man or holy woman to be walled up in a little cell near a church or monastery to spend his or her life in prayer, drawing sustenance from whatever food the faithful chose to offer. It is significant that the eremitical ideal died out completely when the Church passed from sacrament to society.

But long before its extinction, from the third to the sixth centuries, monasteries began to make their appear-

ance in which a number of hermits were gathered. These monasteries were sometimes merely a convenient arrangement for housing solitaries. The monastery which was founded in 529 at Monte Cassino in southern Italy, by St. Benedict, was considered by its founder, who had himself been for many years a hermit, a training school for those who proposed to undertake a life of lonely devotion. Monasticism, however, was destined to assume a permanently communal form. The communities of monks which followed the Rule of St. Benedict under the paternal government of abbots paralleled the chapters of clergy who led the common life under their bishops.

The abbots at the head of their convents, administering holdings of land often as rich as those of the bishops and their clergy, were practically another independent branch of the Church, so far as its constitution was concerned. The assumption of their sacred costumes, their habits, by the monks was regarded as a sacrament like that of the ordination of a priest.

The abbot, who, in the period before Charlemagne, stood in relation to his monks as the bishop to his clergy, and whose consecration was also a sacrament, came to be as much a feudal lord as the bishop, when the kings and military lords chose to consider all Church lands, monastic as well as diocesan, as their property. The lay abbot becomes even a more common figure than the lay bishop.

Meanwhile, the two types of Christian community persisted. Early in the ninth century the canons, as the bishop's clergy were called (because of the measure, canon, of food and drink prescribed them), were made in many cases to undertake a life substantially the same as

that of monks, above all a life of common property. The monks still had a shadowy right of electing the abbot; the canons, of electing the bishop. Both sorts of ecclesiastics stood for religion and piety in the popular esteem far more than the worldly abbots and bishops who theoretically governed them. Furthermore the chapter was entitled to a share in the endowment of the diocese, and the convent of monks to a share in that of the monastery. As a matter of fact, however, the Church had not reached the point where it was possible to conceive of her property as being administered by anyone but individuals.

In the ninth century, the momentous step was taken, in many cases, throughout western Europe, of assigning to the chapter as a group and to the monks as a group a definite share in the annual income of the diocese or monastery. Such a grant of Church property implies the existence in the germ of the idea of a human corporation or society within the Church. A number of persons cannot possess property unless they are organized, have laws by which it is held, and officers to administer it. They cannot possess property unless people have come to think of them not as a number of persons but as one collective person whose mind and will can be definitely learned.

The growth of a corporate, communal control of the Church and of the property it claimed is continuous. Gifts began to be made specifically for the chapters or the monks rather than for the bishops or the abbots. More and more chapters and convents succeeded in making an arrangement by which the bishop or abbot agreed to take his share and leave the rest to the communities.

The officers of the communities, the provosts of the chapters, the priors of the convents, who had formerly been mere dependents and appointees of the bishops or the abbots, now became the elected heads of their communities, and in some new monasteries, even the abbots were really elected.

The next great step towards the incorporation of the Church was taken in the tenth century when the independent Abbey of Cluny whose abbots were free of control by the secular lords began the federation of hundreds of independent monasteries in France and elsewhere. The Congregation of Cluny was ruled by the Abbot and the Council of the Abbey of Cluny, but each house of any importance had rights of autonomy reserved to it. In the course of time, a federal council of priors and abbots was organized to make the general rules for the Congregation. The Abbot of Cluny then became merely chief executive. Whatever the system of government, monarchical or aristocratic, we have in the Congregation a truly autonomous society which, because its branches might be found almost everywhere in the Church, served to extend the corporate idea.

Monastic federalism became the rule in the course of the next two hundred years. In the eleventh century, another great Congregation was organized, under the independent monastery of Cîteaux (*Cisterciæ*) in France. The history of the Church in the twelfth century is overshadowed by a monk of this Congregation, Bernard, Abbot of Clairvaux, just as in the eleventh century it is overshadowed by a Cluniac, Hildebrand, who became Bishop of Rome as Gregory VII.

THE INVESTITURE CONTROVERSY

In the middle of the eleventh century, after much ecclesiastical and political manœuvering, the Congregation of Cluny captured the Bishopric of Rome, the Papacy. The Roman Synod of 1049 may be considered as marking the event. It was held by the first great reform Pope, Leo IX, who had the young Cluniac, Hildebrand, as his adviser. It enacted canons against Simony, and clerical marriage. Above all, it urged upon the clergy the superior excellence of the monastic life. In 1059, another Roman Synod took steps to secure the free election of the Popes by the clergy of Rome who were known as Cardinals. In 1073, wholly under monastic influence, they elected Hildebrand Pope. He took the name of Gregory VII, and made his reign memorable on account of the controversy over the investiture of bishops.

This controversy, whose first chapter closed in 1122, after Gregory's death, was occasioned by the fundamental principle of the reform spirit in the Church,—the recovery by the Church of the property which it regarded itself as owning. The preliminary skirmishes occurred before Gregory's term of office began. They involved attacks by the Popes and monastic writers on the evils of Simony and of clerical marriage. We have seen that the first meant the outright purchase, for revenue only, of Church office, the second, the passing on of Church office and the income attached to it by inheritance.

It was realized by the monastic reform party that clerical marriage and inheritance would disappear if Church property could be kept in the hands of men who pleased

the religious communities. In other words, if chapters could elect bishops, and convents, abbots, they would elect men whom they could trust not to rob the communities of their property. The same was true of Simony. Therefore, the enemy to be attacked was the secular ruler who claimed the right to appoint Church officers. He claimed this right because he claimed to be the ultimate owner of the diocesan and monastic endowments. He made it a practice to invest persons chosen to office with the symbols of their office. Specifically, the Holy Roman Emperor invested the bishops in his realm with the crozier and the ring. For this practice, Gregory VII declared the Emperor Henry IV excommunicated. The German Bishops, indeed all bishops and abbots not associated with the monastic reform movement, sided with Henry IV, and during most of the controversy he was able to defy Gregory VII. But Henry V, the son of Henry IV, entered into an agreement, or Concordat, in 1122, at Worms, by which bishops were thereafter to receive the ring and crozier from an authorized churchman, the Emperor being permitted to attend elections and afterwards to invest the elect with actual possession of the diocesan properties.

This agreement represents about the point where the controversy was destined to remain throughout the medieval period. Some improvement in the character of persons appointed bishops and abbots was obtained. The secular rulers, however, never lost power to interfere, because they never wholly retreated from their claim to ultimate control of Church property. The important thing to notice is that Gregory VII and the monastic

reform party introduced another and visible claimant to that property, into the controversy. The growth of the corporate notion was such that churchmen need no longer merely say, "This property belongs to God and the saints." If that was all they had to say, the secular ruler could easily reply, with plenty of theological authority behind him, that God had made him the guardian of His property. But the monastic reform party, full of the theory of the common life, and of a group acting as a single person, with long experience in the actual communal management of Church property, could now go farther and say, "This property belongs to the community of the church or monastery of St. Blank." They could, and did, indeed, take the final step and add, "This property belongs to the community of the Church, the divine corporation, the perfect society, founded by God." Such a society alone could claim and maintain complete independence of any political power. It could insist that no political power was entitled to oppose its will. The Church was the corporation which alone could dispose of human salvation.

The rise of communities not only led to the incorporation of the Church in order that it might hold property; from the communities also was derived, in large measure, the idea of a power to make Church law as distinct from the revealed law of God. The idea of mutable rules of procedure appeared first in the monasteries of the Cluniac reform of the tenth century. The practices of these monasteries as to the celebration of the feasts and fasts of the Church, the election of officers and the admission of monks were known as *Consuetu-*

dines, or customs. When a monastery was "reformed," it was the practice of the reforming abbot to secure a compilation of the *Consuetudines* of some monastery already reformed, and to submit them for amendment and adoption to the brethren under his rule. A "custom" thus voted upon, accepted or rejected, is obviously not a custom in the sense of the Fathers of the Church. They thought of a custom of the universal Church as being a means by which the Holy Spirit revealed or at least supported the truth. These monastic *Consuetudines* were voted on by the monks in order that their obedience to them might be better ensured. There could be little excuse for the breach of a custom to which the monk had himself assented. In the course of the investiture struggle, the monks who supported the papal party used this monastic practice to justify legislative activity in the Church as a whole.

THE FINANCES OF THE CHURCH

Before we come to consider the monarchical society which the later medieval Church became, we must take into account the changed conditions of European life incident upon the reappearance in the twelfth century of a money economy. The substitution of money exchanges for the barter which characterized early medieval life is less an indication that more precious metals were available than it is an indication of the superior organization of society. The acceptability of a medium of exchange, even one which is made of precious metals, through any extended area, implies a return of confidence in the force

of law, and in the reliability of one's fellow men. In another way, the widespread adoption of such a medium indicates an increase of trade and an increase of production which in their turn are products of social stability. That this stabilization of European society was in very large measure the result of the efforts of the clergy to consolidate their properties and to secure a fair return from them, there is little reason to doubt.

Yet we must recognize two fundamental facts with regard to the effects of these altered conditions upon the clergy and their Church. One of these facts has already been discussed at length, namely, that in the process of consolidating her hold upon her properties, the Church herself underwent a change of character, was herself, as it were, consolidated into a corporation where before she had rather been a sacrament or a mystery. The second fact is the effect of the introduction of a money economy upon the wealth of the Church. Above all, it is fairly clear that with the introduction of money as the normal medium of exchange, the rental of Church agricultural lands began a consistent decline.

This decline led to an increasing emphasis upon ecclesiastical taxation. For centuries, the clergy had been able to collect a tax of a tenth, called a tithe, from the income of land. Under a natural economy, this tithe was payable in produce, but under a money economy, it became payable in coin. As a consequence, it now became possible for the higher clergy to tax their subordinates to a far greater extent than formerly. This tax was known as the first fruits or annates, and consisted of a first year's revenue of the taxed cleric.

The whole of the taxing power of the Church was blocked off into benefices, ranging from the office of cellarer in a monastery or simple priest in a village to the greatest archbishoprics and abbacies. The names of these benefices offer the utmost variety. The important point about them is that each of them paid first fruits to the person, lay or ecclesiastical, who had the right of filling them. This was called the right of presenting to, providing, or collating a benefice.

The richest benefices in Europe were collated by the Pope. The existence of a money economy thus made it possible for the Pope to have an enormous money revenue wholly independent of the fluctuating value of land. Over and above the revenues of collation, the Popes were now in a position to impose other taxes payable in coin, taxes which go by the name of Peter's Pence.

A third source of revenue to the Pope, now made possible, was derived from money commutations of various ecclesiastical obligations. A person who had vowed to go on a Crusade could discharge his vow by a payment supposed to be used to finance someone else to go crusading in his stead. Again, few dispensations were granted by the Pope unless the person dispensed had made a gift of some sort to cover clerical charges.

Finally, an intensified study of the doctrine of Purgatory resulted in a further enhancement of papal revenues. We have noted that sacramental penance not discharged in this life was replaced by suffering in Purgatory. However, theologians became of the opinion that Christ and the saints had lived lives far more devout and perfect than was necessary for salvation. There had thus been

accumulated an inexhaustible treasury of merits and these merits could be used to take the place of Purgatorial pains by those who expected to suffer them, or could be applied to the sufferings of the dead by their still living relatives and friends. Under "the power of keys," the Popes came to include the power of transferring merits from the inexhaustible treasury to the account of any individual sinful soul, living or dead. This transfer was effected by means of an indulgence. The Pope would proclaim that to gain an indulgence some good work such as the recitation of a prayer or going on a pilgrimage was necessary. But a gift of money was frequently considered a good work equivalent to either of these. It is not true to say that indulgences were sold; but it is a matter of history that the proclamation of an indulgence resulted in an accretion of revenue to the person proclaiming it.

This vast papal income must always be borne in mind when the attempt is made to understand the papal monarchy of the thirteenth and subsequent centuries.

Yet in spite of its vastness, the papacy was generally in debt. A pressing need would lead the Pope to borrow a considerable sum of money, often on very unfavorable terms. As pledge for the repayment of these debts, various sources of revenue would be turned over to the creditor for a term of years. The really heavy borrowing began in the later thirteenth century, with the rise of the Florentine banking houses. In 1299, Boniface VIII, for example, borrowed the approximate equivalent of a million dollars from the house of Spini, and from 1300 until the end of his pontificate about a quarter of a million more.

THE CARDINALS

Whenever reference is made to the Pope and his position in the later medieval Church, it is understood as meaning not the Bishop of Rome as an isolated individual. The Bishop of Rome and the Roman Curia or Court taken together make up what we mean by the Papacy. The Curia consisted of about thirty ecclesiastics known as Cardinals, from the Latin *cardo,* hinge, because the government of the Church of Rome hung from them. The Cardinals were the occupants of certain benefices, episcopates, presbyterates, and diaconates in the city of Rome and vicinity. They were in three orders: Cardinal Bishops, Cardinal Priests, and Cardinal Deacons. It must be noted, however, that the occupants of these benefices need not have progressed in the sacrament of order so far as the name of their benefice indicated. It was possible, indeed, for persons only in minor orders to be Cardinals.

The Bishop of Rome in the early medieval Church had been, theoretically at least, elected like any other bishop by the clergy and people of his diocese. As a matter of fact, during the tenth and eleventh centuries, the Bishopric of Rome was the plaything of powerful feudal families in the city. The Cluniac reforming Pope, Leo IX, in the middle of the eleventh century, decreed that thereafter the choice of the Popes should be made first by the Cardinal Bishops, and that choice confirmed successively by the Cardinal Priests, the Cardinal Deacons and the people. It is significant of the change in the constitution of the Church that, late in the twelfth century,

Alexander III decreed that the three orders of Cardinals constituted a College, or corporation, and should thenceforth have the exclusive power of electing a Pope by a two-thirds majority. The College of Cardinals upon the death of a Pope assumed the government of the Church for the time being and met to elect a new one. This meeting was called a Conclave because the Cardinals locked themselves up together (*clavis*, key).

The Cardinals also served as a Papal Council (Consistory). To many of them, individually, were assigned the hearings and drawing up of the decisions in cases which came before the Papal Court.

The Pope himself collated to the benefices of the Cardinals. Collations were made from three sorts of persons: first, the noble families of Rome, second, the relatives of the Pope, and third, the great archbishops of Christendom. The practice of the Popes (and indeed of other ecclesiastics) of collating relatives to benefices was known as nepotism (*nepos*, nephew).[1]

THE JURISDICTION OF THE POPE

In 1198, Lothario de' Segni, a noble canon lawyer, thirty-seven years of age, became Pope. He followed the

[1] The College of Cardinals, in the course of centuries, has greatly increased in numbers. There are at present seventy benefices, of which six are bishoprics, fifty, presbyterates, and fourteen, diaconates. Most of the bishops and deacons reside in Rome and form the Pope's privy council. They also preside over the various departments of government, courts and "Congregations." Most of the Cardinal-priests are archbishops of the great archdioceses of the world, and reside not at Rome but in their episcopal cities. They only go to Rome to function as Cardinals in a Conclave to elect a new Pope.

precedent set probably by Pope Sergius II in 844, and adopted a new name upon his election to the pontifical throne. As Innocent III, he governed the Church and Europe for eighteen years. In a series of sermons preached by him at the beginning of his pontificate he set forth his view of his office. He was, he said, servant of the servants of God. But according to the promise of Christ, that if anyone would be chief, he must become a servant,[2] so he, the Pope, was chief in the household of God, was, in fact, the Vicar of Christ. Throughout his pontificate, Innocent repeatedly described himself as Vicar of Christ, and by the end of the Middle Ages, the title was generally recognized as belonging exclusively to the Bishop of Rome.

While Innocent was Pope, it is reported, hundreds of Italians came to him to have their dreams interpreted. He had acquired a wide reputation as a man of insight into those revelations of the other world which were thought to come to men in sleep. Why was this? Because he had called himself Vicar of Christ, a title which, till his time, had been given by theologians to the Third Person of the Trinity, the Holy Spirit. Occasionally, bishops had been called Vicars of Christ, because their position as the mouthpieces of the Church, the Body of Christ, argued that they as bishops must be sacramentally identical with the Holy Spirit. When the Bishop of Rome called himself Vicar of Christ, therefore, the people thought of him as one endowed with the peculiar gift of vision which the Holy Spirit was supposed to give.

[2] Matthew XX. 27.

But Innocent's sermon makes clear that he is Vicar of Christ not in the old-fashioned, sacramental way which the simple folk of Italy supposed, but in the new legal way which fitted in to that later medieval view of the Church as a society. He was Vicar of Christ, he says, because, though below God, he was above men, because it was his peculiar office to judge all men, and be judged by none. He was a Vicar not in the theological sense in which the Holy Spirit, or the bishop of a diocese was vicar, but in the sense of Roman Public Law, according to which they were called vicars to whom an omnipotent Emperor had delegated the fulness of his jurisdiction.

The Pope was no more a priest than any other bishop. So far as power of order was concerned, he was merely the consecrated Bishop of Rome. But the canon lawyers and theologians of the thirteenth century insisted that besides a power of order, the Church conferred a power of jurisdiction, and that with respect to this jurisdiction, the power of the Pope was supreme.

It is impossible to set down limits to the theory of papal jurisdiction. Modern lawyers when they discuss this matter make various distinctions. They distinguish, for example, between general rules and particular judgments. The making of general rules, or statutes, they call legislation. But the Popes were legislators and judges at the same time. They uttered general rules and principles destined to alter profoundly the constitution of the Church side by side with trivial decisions as to the ownership of certain Church revenues.

Again, in the medieval Church, the bishops were still judges in their dioceses, and constantly carried on a con-

siderable volume of business with which the Pope never interfered. Yet any case which as a matter of fact had been opened in a bishop's court might just as well have been opened before the Pope. There was nothing in any case which would lead the Pope to decline jurisdiction over it as, for example, our federal courts decline jurisdiction over cases which in their opinion can only be heard in state courts. The Pope's court also was in direct competition with the courts of kings and feudal lords. There were few cases in the later Middle Ages which the Pope could not hear if he chose, since a very large number of them either involved the clergy, or some ecclesiastical right or property.

Modern lawyers, furthermore, distinguish between a primary and an appellate jurisdiction. Primary jurisdiction is over cases when they first arise. Appellate jurisdiction is over cases already decided in lower courts. The papal jurisdiction was both primary and appellate indiscriminately. Sometimes a case decided in a bishop's court was heard on appeal. Yet a case of exactly the same nature might come before the Pope in the first instance.

Finally, papal jurisdiction of necessity included the power to discern and pronounce Christian truth. An interesting parallel may be seen between the acts of the Pope in this matter, and the action of modern constitution-making bodies. Most of our own state constitutions begin with declarations as to the rights of man, whose truth has been declared by legislative act. So, too, the Popes were obliged frequently to declare what was the truth about God, in order to justify some general piece of legislation or some particular judgment.

Papal jurisdiction was exercised either directly or through legates. If a bishop and a monastery began disputing as to which of the two was entitled to the revenues of some church, the practice was for one of them to appeal to the Pope. In the majority of cases, the Pope then appointed some person, a Roman cleric, or two or three persons, to visit the scene of the dispute, hear the parties and decide the case. The legate's decision was then confirmed by a papal letter. Cases of great magnitude, or those of persons resident near Rome, were settled at Rome itself. Occasionally, also, in the latter class of cases, the legate merely collected evidence, the actual decision being reached at Rome.

The Pope, although he was the sole judge, generally allowed his Council to act for him. The Pope's Council consisted of Cardinals, the clergy of Rome and vicinity. In cases of extreme gravity, all the Cardinals were gathered in a Consistory, but in lesser cases, the Cardinals immediately attached to the household of the Pope were entrusted with the decision. The Pope's court (*Curia Romana*) was thus similar to the courts of many medieval princes, consisting as it did of a small Privy Council, selected from the Great Council, and having the same powers as the latter.

The papal Letters, which contain the whole history of papal jurisdiction, were written in a special office, the Papal Chancery. They were called by various names: letters, constitutions, or bulls (from *bulla,* a leaden seal). The Latin in which they were written possessed a peculiar rhythm of its own, so that recipients could distinguish a genuine letter because it was written in the

Chancery Style. At the bottom of the letter was the papal signature, not the simple writing of his name, but an elaborate monogram difficult of imitation. The seal attached to the document with threads of different colors completed its authentication. All these precautions were necessary because medieval churchmen took a peculiar view of forgery. Most of the property and rights possessed by bishops and monasteries had been theirs from time immemorial and were secured to them only by custom. When the age of litigation came, and they were obliged to prove property and rights in court, there seemed nothing to be done except invent a document of an early period granting what they possessed. The habit of forgery thus made necessary was frequently practised in the later Middle Ages for less excusable reasons.

The only possible limit upon the jurisdiction of the Pope was that of the General Council of all the bishops of Christendom. In the twelfth and thirteenth centuries, the Popes themselves summoned these Councils. Innocent III felt it necessary to call what is known as the Fourth Council of the Lateran in 1215 in order to promulgate such an important piece of legislation, for example, as that which required all Christians to receive the sacraments of penance and Eucharist annually. In the fourteenth century, a school of theologians and canon lawyers made the claim that since the Church was a society, its legislative power belonged to its whole membership, as in other societies. They insisted that this power was vested in a General Council representative of that membership. Taking advantage of a divided papacy, the Conciliarists,

as these theologians were called, secured the assembling of a General Council at Constance in 1414.

THE SUBJECTS OF THE POPE

Papal jurisdiction extended over everyone. In his famous bull, *Unam Sanctam,* published in 1302, Pope Boniface VIII wrote: "We declare, say, and define, that it is wholly necessary to salvation for every human creature to be subject to the Roman Pontiff." It was true, said the Pope, that the temporal sword was in the hands of kings and knights, but it was to be wielded by the permission or with the sufferance of the priests. The papal letter-books of the thirteenth century are full of communications to kings and emperors in which the latter are commanded to do the will of the Pope, and threatened with punishment if they disobey.

This punishment was of various sorts. There was, in the first place, excommunication. A further step was the deposition of the secular ruler from his office. This meant that the Pope released the subjects from their oath of allegiance. A third method was the interdict, by which the greater part of all religious services was forbidden within the domains of the disobedient ruler. During the eighteen years of the pontificate of Innocent III, the interdict was either threatened or actually applied about eighty-five times.

The Pope's temporal power was further supported by the fact that he had for centuries been the actual lord of certain territories in central Italy. These lands, called the Patrimony of Peter, or the States of the Church,

were supposed to have come into the hands of the Pope through a Donation of them by the Emperor Constantine. The claim to the Papal States was really based on custom, and had been confirmed in the eighth century by Pippin, the first Carolingian King of the Franks. The city of Rome was also practically under the government of the Pope, although both the Holy Roman Emperor and the Roman people had or claimed some authority in it.

Although the city of Rome and their feudal estates caused the Popes a great deal of trouble, they did not hesitate to extend their feudal authority by securing to themselves the overlordship of various kingdoms. Throughout the thirteenth and fourteenth centuries, for example, the Kings of England were vassals of the Popes, and even paid them tribute occasionally.

The relation of the Popes to the bishops and abbots of Christendom is far less clear than their relation to temporal rulers. In 865, Pope Nicholas I won the right to hear the appeals of bishops from the court of the archbishop after a celebrated controversy with Archbishop Hincmar of Rheims. The Pope relied for his authorities against Hincmar upon a collection of papal letters running back into the first centuries of the Christian Church. The collection was supposed to have been made by St. Isidore, Bishop of Seville, in the seventh century. As a matter of fact, the whole collection was a forgery, though it was not until the days of the Conciliar Movement, in the fifteenth century, that it was discovered to be so. As a result of the respect in which the "Pseudo-Isidorean Decretals" was held, the jurisdiction of archbishops was never of an importance greatly superior to that of bishops.

Actual control of the episcopacy turned less on legal disputes as to jurisdiction than on the power of naming Church officers. This power was generally lost to the Popes by the close of the Middle Ages. The secular lords, especially the kings, insisted that it was their right to collate to benefices. The most that they conceded the Pope was the right to invest with the symbols of spiritual jurisdiction. The principle of free election was forgotten. The result was that the bishops, as a general rule, were anti-papal in sentiment. They were closely attached to the secular lords to whom they owed office. In France, we find most of the bishops enthusiastic supporters of Gallicanism, the doctrine of the peculiar privileges of the Church of France. Everywhere in Europe, we find the bishops supporting the Conciliar Movement, whose aim was to wrest control of the Church from the Pope. An interesting example of the papal failure to control the bishops is the widespread disobedience to the decree by which ecclesiastics were forbidden to become officers of the king. In England, to this day, the Lord Chancellor wears three strips of court-plaster over his wig. This is because, in medieval times, the Chancellor was always an ecclesiastic. He wore the plaster in court to conceal the tonsure by which his status would have been known.

In the thirteenth century, the Popes began a noteworthy interference with the bishops' courts by insisting that in trials for heresy an inquisitor named by themselves should be present to act both as prosecuting attorney and counsel for the bishop or his official. Priests of the Order of Preachers (Dominicans) were generally entrusted with inquisitorial procedure.

Inasmuch as the religious communities, the convents of monks and the chapters of canons, had formed the basis of the rise to power of the Bishop of Rome, it is not surprising that throughout the later Middle Ages, the Popes jealously maintained an exclusive jurisdiction over the members of the religious orders. Within a few days of his election to the papacy, Innocent III addressed a letter to the "abbots, priors, and other religious in the Kingdom of France," in which he attributes his election to the assistance of their "suffrages and pious prayers before the Lord." "For we propose to give our aid in your necessities," he concludes, "to you as special sons of the Church, through whom the name of the Lord is very worthily and excellently set forth, so much the more because it would result in very great injury to the Church if we suffered your rights to be invaded by the temerity of anyone." [3]

Successive Popes delighted in granting specific privileges and exemptions to the various religious orders. As early as the middle of the twelfth century, Peter the Venerable, Abbot of Cluny and head of the Cluniac Congregation, declared that his monks need not be subject to any bishop, because they always had the Bishop of Rome as their direct ecclesiastical superior.[4] The Cistercian Order boasted in the twelfth century that they obeyed their bishops, but, in the pontificate of Innocent III, they also received papal exemption from episcopal interference.

Besides the Cluniac Congregation and the Cistercians,

[3] Letter 3, Book I. Migne's *Patrologiæ*, Vol. 214, column 3.
[4] Letter 28, Book I. Migne's *Patrologiæ*, Vol. 189, column 137.

and the various orders of Canons Regular, the Pope also had subject to him various military orders, such as the Knights of the Temple, or Templars, and the Hospitallers of St. John. The thirteenth century witnessed the deliberate expansion of papal jurisdiction with the founding of four new religious orders, Franciscans, Dominicans, Friars of St. Augustine, and Carmelites, all of which, by depending for their living upon direct charitable gifts were not, like the older monastic and military orders, so closely attached to the land and so dependent upon feudal income from it.

We should probably not go far astray if we put the total number of religious at half a million in the year 1300. There is no way of estimating the value of the property controlled by them. It is commonly said that at the time of the French Revolution, the Church owned half the property in France. Of this, about a half or a quarter of the whole amount must have been in the hands of religious communities.

THE OPPOSITION

In the introductory chapter, we noted that the rise of the sacerdotal type is contingent upon general social disorganization. The Christian Church of the early Middle Ages, the Church as mystery, was eminently the product of the ascendancy of the sacerdotal type in a western Europe which was prey to countless disruptive tendencies. The history of the Church centers around the struggle of the sacerdotal type so to organize society that the material endowment it had acquired as a result

of its ascendancy would be safe-guarded by law against the rapacity of the competing military type. The monarchical Pope presiding over an autonomous, law-making, and law-enforcing Church which we have studied in the preceding sections would seem to be the product of this struggle. An ecclesiastical society of vast scope and power has been organized, and has to a considerable extent consolidated and secured for its own exclusive management, the property which had been accumulated in the preceding ages.

But we have had abundant occasion to observe that such an organization was achieved at the cost of mystery. The essentially religious element has been relegated to the background. The Church of the later Middle Ages depends far more upon authority, jurisdiction, wealth, and force than it depends upon an appeal to the religious hunger of the human heart. It is really indistinguishable from those other supreme corporations, the temporal kingdoms and states which were rising beside it, which it often imitated, and with which it competed. With the loss of its mysterious appeal, the Church lost the sacerdotal type. Its officers became administrators. The men it selected to reverence as saints were more frequently organizers, or canon lawyers, or philosophical theologians than they were monuments of self-denial, or emotional preachers, or wonder-workers.

Even more significant than the exclusion of the true sacerdotal type from the Church is the decay of religious feeling itself, which followed upon the very organization which the Church had imposed upon society. Fear, holy fear, lies at the root of this feeling. But fear is

not the predominant emotion in an organized society, where authority, law, and force secure individuals in their lives and property. With organization come a producers' surplus, enhancement of trade, the rise of a powerful merchants' class. Mastery of nature is rendered possible by this surplus. Leisure is afforded the curious minded to seek out many inventions. Capital is available for the building of roads, the bridging of rivers, the construction of expensive labor-saving devices. Furthermore, there is a rise in certain land values, chiefly in towns where the merchants meet for trade and to set up their shops. Finally, natural economy, exchange of goods for goods, is replaced by money economy, exchange of goods for money. There emerges a new type, the dealer in money, the banker, whose fortune is generally based not on production or trade but on the appreciation of city land values. Society, relieved of fear, turns to the accumulation of wealth. In such a society, the commercial class and the banker type compete for control, while the sacerdotal and military types are subordinate.

The banking business of the thirteenth century was, in its main outlines, similar to that of modern times. The first important bankers were families in the cities of northern Italy whose rents so increased with the growth of town population that they could safely be trusted with other people's money. The banker's business, then, as now, was fourfold. He kept money on deposit, paying a small rate of interest. He changed money (a far more complicated and profitable business in the thirteenth century because of the diversity and uncertainty of the coins). He effected the transfer of money between cities,

either in coin or by letters to his correspondents. Finally, he lent money at high rates of interest, after exacting security.

The bankers acted primarily as depositaries of the kings and princes of Europe, and of the Pope and great ecclesiastical lords. We have already seen, however, that the Popes not only deposited their money with the bankers, but in the thirteenth century contracted heavy debts to them. The thirteenth century affords many examples of the control exercised by the Lombard bankers over the officers of the Church. In 1229, they had been financing Pope Gregory IX in his military struggle with the Wonder of the World, the Emperor Frederick II. To help meet this debt, the Pope imposed a tithe upon the clergy of England, and sent one Stephen of Anagni to collect it. This "Master Stephen," writes the great English chronicler, Matthew Paris, "had with him, furthermore, certain very wicked money lenders, who called themselves merchants, palliating usury under the name of trade." They lent money to those clergy who could not pay the tithe, and left the English Church under such a load of debt that it was necessary to pledge the sacred vessels and ornaments.

Matthew Paris's criticism of the practice of calling the bankers merchants is significant of the existence of a bitter opposition on the part of the merchants to the operations of the dealers in money. The banker was the financier of war, the enemy of peaceful trade and production. His position as money changer, in an age when debasements of the coinage were commonly resorted to by impoverished princes, made it possible for him to

charge the merchants exorbitant fees for his services. In many cases, such debasements were directly undertaken at the instance of bankers to whom the princes owed money.

The commercial class was tireless in its efforts to put an end to these operations of the bankers, and they directed their attention above all to the capture of the government of the various temporal communities, and even of the Church itself. The commercial reaction set in about the year 1300. Both in England and in France, the merchants scored the early success of securing the assemblage of the Estates of the Realm. In France, under King Philip IV, the Estates General of 1302 were specifically directed against Pope Boniface VIII, who, as we have seen, had pledged an immense amount of the revenues of the Curia to the Lombards. The next step of the French government was the destruction of the Templars, who rivalled the Lombards in their banking activities. In 1340, King Philip VI was persuaded to cancel all debts due the "Italians, Ultramontanes, and Jews."

Thus the later medieval Papal Church had to meet two sorts of resistance. There was, in the first place, that of a spiritual order, which aimed at the purification of the religious ideas of the clergy and laity. Opposition of this sort was known to the papal party as heresy. We consider much of it nowadays to have been an anticipation of the religious reform which finally came in the sixteenth century. In the second place, there was the constitutional opposition, the struggle to wrest the government of the Church from the hands of the Pope. This opposition took two forms. Either the reformers sought

to bring Church government into the hands of the Kings, or else they aimed to secure the government of the Church by a representative assembly similar to the Estates of the various kingdoms. The religious movement was chiefly promoted by persons of the sacerdotal type, discontented with the officialdom and worldliness of the clergy. The constitutional opposition was largely the result of the discontent of the merchants of Europe with the subserviency of the papacy to the money lenders. Naturally enough, the various kinds of opposition were often allied, and merged into each other. But to understand their motivation and objects, it is well to keep them distinct.

The keynote of all later medieval heresy was sounded by one of the greatest saints of the thirteenth century Church, Francis of Assisi. This remarkable young man early in life took seriously the counsel of perfection which Christ gave to another rich young man twelve hundred years before. Francis, in actual fact, did sell all that he had, and gave to the poor. Wedded, so he declared, to Lady Poverty, he set out, against the will of his angry father, clad in the garb of a penitent, to solace the sick and destitute, and to preach the Gospel to any of God's creatures, including birds and fishes, who chose to listen to him. Endowed with an imagination which bade him call fire and the sun his brothers, capable of denying himself every one of the creature comforts of human existence, converting thousands to repentance by the ardor of his preaching, above all, perhaps, proving his authority by countless miracles, he perfectly exemplified the sacerdotal type. Hundreds flocked to follow him, and

almost over night a new religious order, the Lesser Brethren, had come into being under a rule which he drew up.

Pope Innocent III, in whom the papal monarchy reached its first full expression, was quick to realize the significance of Francis of Assisi. He called Francis before him, and while in no way reflecting upon his piety insisted that his new order must be brought into line with other monastic organizations. Innocent had his way. The Order of Lesser Brethren, the Franciscans, within a generation of Francis's death had become indistinguishable, to all intents and purposes, from other religious orders.

But the influence of Francis was destined to be permanent. The first heresy which arose in his name was flourishing by the middle of the thirteenth century. An abbot of southern Italy, Joachim of Flora, had declared that a new era of the world was impending. In Joachim's opinion, until the coming of Christ, the Church had been ruled by the Father. With his coming, it passed under the rule of the Son. The last age of the Church was to be the rule of the Holy Spirit. The Joachites, Joachim's followers, were inclined to see in St. Francis the founder of this last era. They thus associated him with the Holy Spirit because of his emphasis upon absolute poverty. The Church was to discard its property and to become an utterly spiritual body. The Joachite tradition constantly reappeared in Franciscan history.

Already in the thirteenth century, however, the sacerdotal type had been active in the promotion of what the papal party considered heresy. In southern France arose

the Cathari, often called the Albigensians from Albi, a town where they were very numerous. The Cathari practically abandoned Christianity. In their theology, there were two gods: a god of the spirit and a god of the flesh. They identified the God of the Old Testament with the god of the flesh. In their own opinion, the Cathari had achieved a complete victory of the spirit over the flesh by the practice of rigorous self-denial. In southern France, also, the followers of Peter Waldo, the Waldensians, rejected most of the tenets of Catholicism, and, like the Franciscans, laid great emphasis upon poverty. In spite of a most ardent persecution, the Waldensians persisted. In England, John Wyclif, himself under Franciscan influence, late in the fourteenth century, preached a doctrine which denied the right of the clergy to administer property, and insisted upon the importance of spirituality as contrasted with mere ecclesiastical observances. In Bohemia, John Hus, under the influence of Wyclif, preached a similar doctrine.

Constitutional resistance to the papal monarchy in the fourteenth century took the form of an attempt to bring the control of the Church into the hands of the new national governments. It was not, however, in the interests of absolute monarchy that the best minds of the fourteenth century defended the rights of kings against the Pope. The Church had taught the European mind the idea of an autonomous corporation. Fourteenth century lawyers saw in the Roman Empire, the Kingdoms of France and England, the cities of northern Italy, like Venice, Milan or Bologna, so many self-governing societies of which the king, or, in the case of the cities,

elective officers and councils were the organs. To insist on a royal power to govern the Church was only to argue the right of the community to govern itself without any interference from without.

The Church had been forced to abandon its sacramental view of the world and its own place therein, as we have seen, in order to secure to itself the enjoyment of its property. As a corporate person, the Church could and did assert its complete power over its property during the twelfth and thirteenth centuries. In the latter century, it was a Pope, Innocent IV, who first found words to describe the corporate personality. He applied it to the monasteries, but he could just as well have applied it to the Church as a whole.

The same need to lay a claim to property as that which drove the Church to incorporate forced secular society to incorporate as well. Secular society was, first and foremost, the commercial class, the traders. In their opinion, the financial policy of the Church was hampering productivity, ruining the producers, keeping down freedom of exchange and commercial profits. The merchants, late in the thirteenth century, found themselves well enough organized and rich enough to bid against the money lenders for control of the secular power. They were in a position to say to such a King as Edward I of England: "There is no need for you to borrow money from the Jews and Italians to finance your government. You can take it from us in the form of taxes which you need never pay back. But, in exchange, you must abandon the idea that you are the mysteriously appointed agent of God to govern your subjects. You must incorporate your

kingdom, and become the organ of your people. As a matter of practical fact, you must call us into your councils, and allow us to determine how you use the money we give you." In response to some such proposition as this, Edward I, in 1295, called the merchants into council in the "Model Parliament" (curiously so-called since it was never imitated), declaring that "what touches all must be approved by all."

At the opening of the fourteenth century, Pierre Dubois, enthusiastic regarding the new power of the State of France, could conceive of its organ, King Philip IV, actually taking over the temporal activities of the whole Church. By the end of the century, it was clear not only that no single State could achieve such a position, but also that no single State could compete with the Church and enjoy continual success. Hence constitutional reformers turned their attention to the possibility of such an alteration in the government of the Church as would assure all Christians some share in it. The Church was to be organized as the States were organized. A General Council in the Church would serve the purpose of a Parliament or Estates General in the State.

The Conciliarists found their opportunity in the Great Schism. From 1378 to 1414, it was possible for every State to take its choice between two Popes. When a third Pope was added in 1409, it was clear that a General Council must be called. At the instance of the Emperor Sigismund, one met at Constance, 1414-1417.

The Council of Constance succeeded in getting rid of the rival Popes, though the saintly Aragonese, Pedro de Luna, deserted by all but the Spaniards and a few Car-

dinals of his own creation, went on calling himself Pope Benedict XII, and excommunicating the whole world, until his death in 1424. The Council declared its supremacy in the Church by its decree, *Sacrosancta.* It attempted to put down heresy by burning John Hus and his friend Jerome of Prague. It made provision for the periodic assembling of Councils after its dissolution. At seven year intervals, such Councils were, in fact, summoned. There was an abortive one at Pavia and Siena in 1424, another in 1431 at Basel, and another in 1438 at Florence and Ferrara.

The Council of Constance, however, came under the influence of the new great Italian banking house of the Medici, and the line of Popes which it set up became ultimately little more than dependents of that family. When the Council of Basel, attempting to complete the constitutional reform of the Church which that of Constance had left unfinished, took measures, early in its career, to curb the flow of money from all parts of Europe to Rome by abolishing annates, Pope Eugene IV (1431-1447) took alarm. A bitter struggle between Pope and Council ensued. Only under Nicholas V, who succeeded Eugene, and whose election was assisted by loans from the Medici, was a papal victory gained, and the Council of Basel dissolved. With its dissolution, the Conciliar Movement ended. The triumph of the bankers' interests in Italy was complete. A half century later, a Medici actually sat in the Throne of Peter, as Pope Leo X.

Christian theology and discipline are thus seen to have been the means by which the sacerdotal type, ascendant

in the early Middle Ages, drew the people of Europe together into a new, consolidated, social scheme. To meet their spiritual and worldly needs, churchmen were driven to invent the corporation. They clothed, first, groups within the Church, then the Church itself with real personalities. They compelled the individual personality to find its expression through corporate personality. In a word, they organized society.

This organization was utterly new in European experience. Human groupings in the Græco-Roman world were thought of as natural or as supernatural. Family, *gens,* tribe, these existed by nature. But Roma was a goddess, and the Roman emperor a god. The concept of a society or corporation is neither natural nor supernatural. It is, before all, legal and contractual. Into that concept, the whole of political life in modern times from the great nationalistic state to the steel corporation, the textile workers' union, or a sectarian church, has been fitted.

But by organizing the Church, and by inventing the concept of a corporation in which the world could organize itself, the sacerdotal type destroyed, in large measure, its ascendancy. Modern society, dominated by the idea of the corporation, is too well organized, individuals are too much at peace with one another to pay more than passing attention to the priest with his doleful warnings, on the one hand, or his promises of a celestial beatitude on the other. In a sense, society thus organized neither hopes nor fears. Principally, it desires. Hence, in modern times, ascendancy has passed from the sacerdotal type to one which at least promises to satisfy every human desire here and now.

BIBLIOGRAPHICAL NOTE

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